



United States District Court of the District of Delaware

Notice Regarding Court Operations During Lapse in Appropriations

(January 16, 2019)

The Administrative Office of the United States Courts (“AO”) has advised District Courts that funds are available to maintain normal operations only through Friday, January 25. After that date, funding will be exhausted for Fiscal Year 2019 and courts will have to institute a “Shutdown Plan” in accordance with The Guide to Judiciary Policy, Vol. 13, Ch. 2, § 220.30.10 (e).

The United States District Court for the District of Delaware is a small court with a very busy and complex docket. Therefore, as described in the attached “Shutdown Order,” the Court has determined that all judicial officers and staffs of judicial officers, as well as all other employees of the Court and the Clerk’s Office, are necessary and essential to the Court’s obligation to fulfill its constitutional and statutory duties. Accordingly, even after January 25, all employees will be required to report to work consistent with their normal schedules. To the extent possible, the Court will be open and operational without disruption, including by conducting jury trials and other criminal and civil proceedings. Jurors will be paid their ordinary fee for jury service although payment may be delayed until an appropriation becomes available.

The Court has been advised by the AO that all employees designated essential will be paid in full once appropriations have been finalized. However, the AO has further advised that, after January 25, no staff will be paid until appropriations are enacted.

It remains within the discretion of each judicial officer to manage his or her own docket, which may or may not include granting requests for stays or other relief.

The Shutdown Order covers the District Court and the United States Probation Office for the District of Delaware. The District of Delaware Bankruptcy Court will be issuing a separate Order.

This Notice, and the Shutdown Order, are subject to modification at any time.