

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

In Re: CONTINUED OPERATION OF UNITS
OF THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT OF
MICHIGAN DURING A LAPSE IN
APPROPRIATIONS

Administrative Order No. 25-MS-094

This Order shall take effect upon a lapse in a duly enacted appropriation or continuing resolution for Fiscal Year 2026, and exhaustion of all no-year funds and fee revenue, which is currently projected for close of business on October 17, 2025. Once triggered, this Order shall remain in effect until the lapse is cured by a duly enacted appropriation, or until authorized funds otherwise become available for the Court.

The United States District Court for the Western District of Michigan, including the United States Bankruptcy Court, and Probation and Pretrial Services, shall continue to perform their Constitutional duty to hear and decide cases and to support case disposition, without interruption. All cases shall continue to be processed according to normal schedules and priorities in the discretion of the assigned judicial officer.

The *Guide to Judiciary Policy*, Vol. 13, Finance and Budget, Ch. 2 §§ 220.30, *et seq.*, allows discretion to court units in determining judicial officers and staff deemed necessary to the performance of essential court functions that are excepted under the Anti-Deficiency Act.

The Court Unit Executives, in consultation with the Chief Judges of the District and Bankruptcy Courts, have developed plans entitled *Lapse Plan for the United States District Court, Western District of Michigan* and *Shutdown Plan of the United States Bankruptcy Court, Western District of Michigan* that express the District's policies on excepted functions and services.

Consistent with policy, and following a careful review of assigned responsibilities and the work actually being performed, the Court has determined that all Chambers staff are deemed essential to perform "excepted activities." The Clerk of Court will evaluate clerk's office staff needed to perform those "excepted activities" that must continue during a government shutdown because they are necessary to: support the work of Article III judges, protect life and property, and fulfill constitutional and statutory obligations that cannot be postponed. Based on this evaluation, the District and Bankruptcy Courts will staff the number of clerk's office employees needed to complete these activities, while all other staff will be placed on rotational furlough.

As Probation and Pretrial Services is a law enforcement agency, the Chief U.S. Probation Officer has deemed all Probation and Pretrial Services staff essential, wherein each staff performs "excepted activities." Similarly, the Chief U.S. Probation Officer will evaluate staff needed to perform those "excepted activities" that must continue during a government shutdown. Based on this evaluation, U.S. Probation Office staff may be placed in furlough status when "excepted activities" are not available to be performed.

Employees performing excepted functions must report to work in a non-pay status. Payroll will be processed after an appropriation is enacted to fund judiciary operations.

Staff will not perform functions that are unrelated to “excepted activities” as set forth in the Court’s lapse plan (e.g., ancillary administrative tasks, non-essential training, and other similar activities). The Court Unit Executives will monitor staff’s work activity to ensure compliance with their respective lapse plans and ongoing guidance from the Administrative Office of U.S. Courts. The Court Unit Executives will adjust staffing levels as needed to ensure only excepted work is performed during the lapse of appropriation or otherwise place staff in a furlough status as required by law.

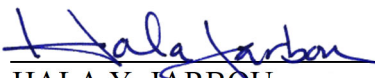
The General Services Administration shall provide the level of services and building maintenance necessary to ensure that all court facilities are kept open for regular hours plus any extended hours while court is in session, as permitted by law. The United States Marshals Service, the Federal Protective Service, and other security providers shall maintain all functions necessary for the appropriate security of all judges, court employees, jurors, and the public for the safe use of all United States Court facilities within the District, as permitted by law.

This Order may be modified or superseded by further order of this Court.

IT IS SO ORDERED.

FOR THE COURT:

Dated: October 17, 2025



HALA Y. JARBOU
CHIEF UNITED STATES DISTRICT JUDGE