



United States District Court  
Northern District of Illinois, Eastern Division  
219 South Dearborn Street, Chicago, Illinois 60604

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**Statement on Lapse in Appropriations:  
District Court will sustain paid operations through January 31, 2019**

During the partial shutdown of the federal government, which began December 22, 2018, the Judiciary has continued to operate by using court fee balances and other “no-year” funds. On January 22, the Administrative Office of the U.S. Courts announced that it has revised its original estimate and now is working toward the goal of sustaining funded operations through January 31, 2019. The Judiciary continues to explore ways to conserve funds so it can sustain paid operations through February 1, 2019. No further extensions beyond February 1 will be possible.

“We are deeply concerned that the lack of appropriation will create delays in the Court’s ability to ensure timely justice,” said Chief Judge Rubén Castillo, Northern District of Illinois.

Previously, the Administrative Office had estimated that Judiciary funding would be exhausted on January 25, resulting in federal courts relying on unpaid staff to perform critical operations.

The extensions have been achieved through a multi-pronged strategy of deferring non-critical operating costs and utilizing court filing fees and other available balances. Most of the measures are temporary stopgaps, and the Judiciary will face many deferred payment obligations after the partial government shutdown ends.

In recent weeks, the Court has delayed or deferred non-mission critical expenses, such as new hires, non-case related travel, and certain contracts. Judiciary employees are reporting to work and currently are in full-pay status.

Should funding run out before Congress enacts a new continuing resolution or full-year funding, the Judiciary would operate under the terms of the Anti-Deficiency Act. At that time, criminal jury trials will continue, but jurors will not be paid until an appropriation has been reached. Civil jury trials in progress will continue, but no new civil jury trials will commence.

Chief Judge Castillo, in light of the lapse of congressional appropriations, entered [Amended General Order 18-0028](#), which holds in abeyance all civil litigation involving as a party the United States of America, its agencies, its officers, employees, and/or any party represented by the Department of Justice or the U.S Attorney's Office. As of January 22, 2019, this includes 1,019 cases, many of which involve Social Security Administration, the Equal Employment Opportunity Commission, and the Environmental Protection Agency. Under the General Order, once federal operations are restored, the stay will be automatically lifted, and deadlines in affected civil cases will be extended by the number of days of the shutdown, plus seven days.

If Congress fails to pass an appropriation or continuing resolution by January 31, 2019, Court employees will be required to report to work, but will not be paid until funding is restored.

“If we reach the point where paychecks are not being issued, the consequences could be very dire. Many Court employees live paycheck to paycheck and will be forced to make extremely tough financial decisions to keep their families afloat. Parties will not be able have a civil jury trial if funding runs out before Congress enacts a new continuing resolution or appropriation, and it will cause significant delays in the resolution of civil cases at the courthouse,” said Chief Judge Castillo.

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