

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

**ORDER OF THE CHIEF JUDGE REGARDING THE OPERATIONS OF THE UNITED
STATES COURT OF APPEALS IN THE ABSENCE OF AN APPROPRIATION OR
CONTINUING RESOLUTION**

An appropriation or continuing resolution funding the operations of the United States Courts not having been enacted into law by midnight December 21, 2018, this Order shall take effect until superseded by such appropriation or continuing resolution.

1. The dispensing of justice is mandated by the Constitution and essential to government, and the resolution of cases and controversies is the only work and product of the federal courts. Accordingly, all employees of the United States Court of Appeals for the Second Circuit are hereby deemed to be essential as part of or essential support for the exercise of judicial powers.
2. All employees of the United States Court of Appeals for the Second Circuit are ordered to report to work for their regularly scheduled hours, and to continue all normal operations of the Court, except as set forth below.

3. Judiciary national policy provides that, during an appropriations lapse, "court units are encouraged to consider on a weekly basis which activities are essential for that week and which employees are needed to perform those activities." *Guide to Judiciary Policy*, Vol. 13, Ch. 2 §220.30.10(e). Accordingly, the Court will re-evaluate its operations periodically, and may revise its staffing and operational plans as appropriate.
4. All travel, except travel to hold or attend regular or special sessions of the court or other travel approved by the Chief Circuit Judge, shall be avoided. All training activity shall be suspended.
5. No new personnel shall be hired. No new financial obligations should be incurred without my permission. All court units should review current financial obligations to ensure that they are necessary for the continued resolution of cases and controversies and deobligate unnecessary commitments where permitted. Performance under fully-funded contracts should continue and performance under incrementally-funded contracts awarded prior to the lapse in appropriations should continue until a new obligation of funds is required.
6. The General Services Administration, the Federal Protective Service and the United States Marshals Service are

