

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

**IN RE: COURT OPERATIONS DURING
LAPSE IN APPROPRIATIONS AND
GOVERNMENT SHUTDOWN**

GENERAL ORDER 2025-02

An appropriations bill or continuing resolution (“CR”) funding the operations of the United States Courts was not passed by Congress and signed by the President prior to the expiration of the current fiscal year, or by 11:59 p.m., on September 30, 2025. Accordingly, on October 1, 2025, there has been a lapse in appropriations, commonly referred to as a government shutdown.

A lapse of appropriations occurs when:

- neither an annual appropriation act nor a CR is enacted before the beginning of a fiscal year, *or*
- a CR expires during the fiscal year with no subsequent appropriations action.

The U.S. Bankruptcy Court for the District of Connecticut is constitutionally and statutorily required to continue to exercise judicial power regardless of the status of appropriations. However, the Court is bound by the strictures of the Anti-Deficiency Act, 31 U.S.C. §§ 1341-42, in the event of a lapse of appropriations.

Due to the absence of an appropriations bill or a CR, the Judiciary has no available funds to maintain operations at its normal level.

On October 16, 2025, the U.S. District Court for the District of Connecticut issued Administrative Order 2025-23 announcing that beginning on October 20, 2025, and for the duration of the shutdown, all employees of the U.S. District Court for the District of Connecticut shall perform only “excepted” activities necessary to avoid violations of the Anti-Deficiency Act. The Administrative Order further directed that all employees of the Clerk’s Office of the U.S. District Court for the District of Connecticut would be furloughed on Fridays. Administrative Order 2025-23.

The U.S. Bankruptcy Court for the District of Connecticut is also required to reduce its operations to perform only excepted activities to avoid violations of the Anti-Deficiency Act.

Because the spirit of the Anti-Deficiency Act requires a narrow interpretation of the judicial functions that may continue during a shutdown period, the only work considered “excepted” and thus permissible, includes:

- Activities necessary to the exercise of the Court’s constitutional functions (*i.e.*, resolution of cases in which there is a constitutional or statutory grant of jurisdiction);
- Activities addressing emergency circumstances, such that the suspension of the function would threaten the safety of human life or the protection of property; and

- Activities otherwise authorized by law, either expressly or by necessary implication, including activities needed for an orderly shutdown of other official functions.

Under the current circumstances, and notwithstanding the absence of an appropriations bill or CR, this Court will continue to:

- hear and decide cases without interruption;
- conduct hearings or status conferences as scheduled;
- process all filings, motions, orders, emergency applications, and other litigation documents;
- collect and deposit fees and costs into the Treasury;
- accept and process new bankruptcy cases and adversary proceedings; and
- handle new cases or existing cases as necessary to assist the Court in implementing its orders and judgments.

On October 16, 2025, the U.S. District Court for the District of Connecticut also issued Administrative Order 2025-22 staying, except as otherwise ordered, all civil cases (other than civil forfeiture cases, immigration cases, habeas petitions, or cases seeking temporary restraining orders or other emergency relief) in which the U.S. Attorney's Office for the District of Connecticut or the Department of Justice has appeared as counsel of record for the United States, its agencies, and/or its employees. Administrative Order 2025-22.

The stay imposed by the U.S. District Court for the District of Connecticut's Administrative Order 2025-22 shall not extend to bankruptcy cases filed under Chapters 7, 11, 12 or 13 of Title 11 of the U.S. Code or to adversary proceedings, pending before the U.S. Bankruptcy Court for the District of Connecticut. Unless otherwise ordered by the presiding judge in a particular case, all bankruptcy and adversary proceeding cases, including all related motions, hearings, and matters, will proceed in the ordinary course, notwithstanding the participation or appearance of the Office of the United States Trustee or an attorney from the United States Attorney's Office.

Upon review by the Chief Judge of this Court of staffing levels and the work necessary to support the exercise of the Court's constitutional and statutory powers, the Court determines that all employees of the U.S. Bankruptcy Court for the District of Connecticut are hereby deemed to be performing work necessary to support the excepted activities of the Court, that is, the exercise of judicial powers.

Although all employees are deemed to be performing excepted activities, the Court recognizes that not all employees are required to perform such work every day. Accordingly, consistent with the requirements of the Anti-Deficiency Act, the following measures are ordered beginning on October 20, 2025, and continuing for the duration of the shutdown:

- 1) The Court shall limit its operations and incur obligations and expenditures only as necessary to perform "excepted activities."
- 2) The Clerk's Office will operate on reduced hours and will be closed to in-person services in all divisions on Fridays. Clerk's Office Staff will be furloughed on Fridays and at other time when not performing excepted activities. This paragraph does not

prohibit a presiding judge from requiring specific Clerk's Office personnel to report for duty as necessary to adjudicate a particular case.

- 3) The Chief Judge will periodically review the work of staff to determine whether employees continue to perform work necessary to support the exercise of constitutional and statutory judicial duties. Employees not so engaged will, as required by law, be furloughed.
- 4) Staff shall perform only excepted functions as set forth in this Order and consistent with the Anti-Deficiency Act and guidance from the Judicial Council of the Second Circuit, the Administrative Office of the U.S. Courts, and the Judicial Conference of the United States. The Clerk of Court is directed to provide staff with guidance to ensure compliance.

This Order is effective immediately.

SO ORDERED.

Dated this 17th day of October, 2025, at New Haven, Connecticut.

Ann M. Nevins
Chief United States Bankruptcy Judge
District of Connecticut

