

DEC 28 2018

United States Bankruptcy Court
Middle District of Alabama

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA

FILED

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United States Bankruptcy Court
Middle District of Alabama

In Re:)
)
Continuance of Bankruptcy Matters)
in the United States Bankruptcy Court)
for the Middle District of Alabama)
due to Lapse in Federal Funding)

Administrative Order No. 2018-20

ADMINISTRATIVE ORDER

WHEREAS, at midnight on December 21, 2018, the continuing resolution that had funded nine Departments and several independent agencies of the United States of America expired, and appropriations to the Department of Justice and these other federal departments and agencies lapsed,

WHEREAS, since that time no appropriation bill or continuing resolution has been passed that would restore funding,

WHEREAS, absent an appropriation or continuing resolution, Department of Justice attorneys and employees are prohibited from working even on a voluntary basis except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. 1342. With limited exceptions, this includes attorneys and other employees in the Civil Division of the United States Attorney’s Office for the Middle District of Alabama, and

WHEREAS, absent an appropriation or continuing resolution, employees of eight other federal Departments and several agencies who may have matters before the Court, with limited exceptions, also are prohibited from working even on a voluntary basis,

IT IS HEREBY ORDERED that:

1. all hearings involving any claim, lien, or other interest of the United States of America, including its agencies, scheduled for the week of January 7, 2019, and each week thereafter through the conclusion of the week in which the partial government shutdown ceases, are continued and shall be placed on the next appropriate calendar;

2. all current deadlines in matters involving a claim, lien, or other interest of the United States of America, including its agencies, shall be extended through and including January 31, 2019;

3. all adversary proceedings to which the United States of America, including its agencies, is a party shall be stayed until such time that Congress has restored appropriations;

4. if funding is not restored by January 31, 2019, at 10:00 a.m., the Civil Chief of the United States Attorney's office shall notify the clerk of court for the United States Bankruptcy Court for the Middle District of Alabama so such further action may be taken as is just and proper; and

5. the Civil Chief of the United States Attorney's office shall forthwith notify the clerk of court for the United States Bankruptcy Court for the Middle District of Alabama once appropriations have been restored.

SO ORDERED, this 28th day of December, 2018.



William R. Sawyer, Chief Judge
United States Bankruptcy Court