

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHUTDOWN PLAN

Pursuant to the Guide to Judiciary Policy, Volume 13, Chapter 2, § 230.50, this court adopts the following plan for operating during a Judiciary shutdown. A Judiciary shutdown¹ occurs after all funding derived from fees and no-year appropriations has been exhausted² and a continuing resolution or appropriations bill has not been enacted.

- I. Declaration of Policy. The policy of the United States District Court for the Eastern District of Pennsylvania is that the functions performed by all judicial officers, staffs of judicial officers, and employees of this Court and its Clerk's Office are determined to be necessary and essential to address the Court's constitutional duty to hear and decide cases without interruption. The activities set forth in this plan are excepted activities, and the employees who perform these duties are deemed essential.
- (A) Under the Anti-Deficiency Act, the judiciary must reduce operations to perform only "excepted activities" during a shutdown period. Excepted activities include:
- (1) activities necessary to the exercise of the judiciary's constitutional functions (i.e., the resolution of cases in which there is a constitutional or statutory grant of jurisdiction);
 - (2) activities addressing emergency circumstances, such that the suspense of the function would threaten the safety of human life or the protection of property; and
 - (3) activities otherwise authorized by law, either expressly or by necessary implication, including:
 - (a) Constitutional guarantees (e.g., the right to counsel under the Sixth Amendment);
 - (b) operating entitlement programs (e.g., Judicial Survivors Annuities System); and
 - (c) executing activities needed for an orderly shutdown of other official functions.

¹The term "shutdown" is commonly used when referring to a lapse in appropriations for the judiciary. As reflected in the title of this document, the Court will not actually shut down during a lapse in appropriations, but will implement this plan to ensure continuation of essential case-related services.

²The Judiciary can continue operations with funding derived from all possible sources of fees and no-year appropriations as previously authorized by the Executive Committee of the Judicial Conference.

- (B) This court will continue to: 1) hear and decide cases without interruption; 2) process all old and new, civil and criminal cases; and 3) issue and enforce judgments, according to normal schedules and priorities. The court will continue to provide all essential case support with the services of clerks, probation and pretrial services officers, and others.
- (C) Staff will only perform excepted functions as set forth in this plan.
- (D) All activities not authorized in this plan will be suspended.
 - (1) These activities include, but are not limited to, the following:
 - (a) Hiring employees and related pay actions;
 - (b) Purchasing equipment, supplies, and contractual services³;
 - (c) Entering into new contractual obligations;
 - (d) Performing non-essential administrative tasks;
 - (e) Compiling non-essential statistics;
 - (f) Training; and
 - (g) Travel.⁴
 - (2) The suspension of such activities will be carried out in an orderly manner to ensure that all records and statistics are preserved and secured, and that resumption of full activities will begin without limits once funding is restored.
- (E) The court will advise the following individuals of the level of services required to maintain continuing operation of the court system:
 - (1) U.S. Marshal, Eastern District of Pennsylvania;
 - (2) Clerk, U.S. Bankruptcy Court;
 - (3) Director, U.S. General Services Administration;
 - (4) Chief Federal Defender, Eastern District of Pennsylvania; and
 - (5) United States Attorney, Eastern District of Pennsylvania.

³Even if a contract is currently in place, any actions that would result in further expenses under the contract will be curtailed unless they are clearly in support of designated excepted activities. Further, payment on any goods and services acquired during a lapse in appropriations may be delayed until funds become available through another continuing resolution or an appropriation. The court's Contracting Officer (CO) will notify contractors prior to an appropriations lapse as directed by the Procurement Management Division.

⁴All court personnel will conclude their travel and return to their normal duty station prior to shutdown. Travel can continue if it is deemed absolutely necessary to the performance of excepted work (e.g., case resolution activities) as described in section I(A) of this plan. If the travel is not required for purposes of an orderly shutdown, or if the individual is not performing excepted work on travel, then the travel should not occur if it would incur further expense to the government.

In addition, the court will limit after-hours and weekend work.

II. Article III Judges and Their Staffs

- (A) Article III judges continue to serve, regardless of the status of the appropriation. Each judge may employ staff, such as law clerks and judicial assistants, which this court finds essential to the resolution of cases. The court may also employ pro se and death penalty law clerks, who the court finds are essential to the resolution of cases.
- (B) Case-related conferences, hearings, jury trials, and non-jury trials will continue to be conducted, and new cases will be accepted. Apart from pre-existing criteria such as the Speedy Trial Act and any proceedings involving potential deprivation of liberty, no distinctions or priorities will be drawn between criminal and civil cases.

III. Magistrate Judges and Their Staffs

- (A) Magistrate judges continue to serve the needs of the court, regardless of the status of the appropriation.
- (B) All routine judicial activities performed by magistrate judges, such as the conduct of preliminary hearings or the exercise of delegated trial authority, will continue. Each judge may employ staff, such as law clerks and judicial assistants, which this court finds essential to the resolution of cases.

IV. Clerk's Office

- (A) This court finds that Clerk's Office staff who support the court in case-resolution activities perform excepted activities and are essential. The excepted activities of these employees include, but are not limited to, the following:
 - (1) Ensuring the proper and timely processing of all filings, motions, orders, emergency applications, and other documents;
 - (2) Accepting and processing new civil and criminal cases;
 - (3) Collecting and depositing fees, costs, and criminal debt payments into the Treasury;
 - (4) Providing regular administration and support to both petit and grand juries;
 - (5) Upkeep and maintenance of the Court's information technology systems; and
 - (6) Timely processing the Court's financial, budget, and human resources records and reports.

- (B) The jury system will operate as necessary to assist the courts in the performance of Article III duties. Clerk's Office staff will provide their normal level of assistance.
- (C) The excepted functions and employees performing these functions are listed below.
 - (1) Administration and Oversight of Office's Statutory Duties:
 - (a) Clerk
 - (b) Chief Deputy Clerk
 - (c) Staff Attorney
 - (2) Court Proceedings/Docketing, Court Reporting, and Recording:
 - (a) Courtroom Deputies
 - (b) Case Managers
 - (c) Court Reporters
 - (d) Electronic Sound Recorders (ESRs)
 - (3) Interpreting
 - (a) Contract Court Interpreters
 - (4) Intake, Cashiering, Courtroom Support, Docketing, Quality Control, Case Management, and Records Management:
 - (a) Court Services Manager, Supervisors and Clerks
 - (b) Generalists
 - (c) Docket Clerks
 - (d) Courtroom Deputies
 - (e) Case Administration Clerks
 - (5) Jury Management:
 - (a) Jury Administrator
 - (b) Jury Specialists
 - (c) Jury Coordinator
 - (6) Information Technology:

- (a) Director of Information Technology
 - (b) Systems Administrators
 - (c) Network Administrator
 - (d) Automation Specialists
 - (e) Courtroom Tech Specialists
 - (f) AV Tech
 - (g) Tech Support Specialists
- (7) Finance, Procurement and Facilities:
 - (a) Financial Manager
 - (b) Budget Analyst
 - (c) CJA Analyst
 - (d) Financial Specialists
 - (e) Administrative Services Manager, Supervisor and Assistant
 - (f) Space and Facilities Administrator
 - (g) Procurement Specialists
- (8) Human Resources:
 - (a) HR Manager
 - (b) HR Coordinators
 - (c) HR Tech
- (D) The Clerk and Chief Deputy will monitor the employees performing excepted functions and may move or reassign duties based on changing circumstances in the court and the length of the appropriations lapse.

V. Probation and Pretrial Services Offices

- (A) The Probation Office and Pretrial Services Office perform excepted, mission-focused functions that are critical to the Court's constitutional and statutory mission such as:
 - (1) producing reports on bail, sentencing, or release, and providing other services required by judges for the performance of their constitutional duties;
 - (2) supervising individuals who have been released on conditions pending trial or sentencing;
 - (3) supervising individuals under pretrial services supervision, supervised release, probation, or parole and providing needed treatment services; and
 - (4) providing Officer support, data quality control, and records/case management to ensure confidentiality is maintained and accurate information is provided to the Administrative Office.

(B) The employees performing these functions are listed by title below:

(1) Administration and Oversight of Office's Statutory Duties

- (a) Chief
- (b) Deputy Chief and Assistant Deputy Chief
- (c) Budget Analyst
- (d) Financial Administrator
- (e) Procurement Specialist

(2) Bail Reports, Presentence Reports, Violation Reports, and Related Investigations

- (a) Supervising Pretrial Services and Probation Officers
- (b) Pretrial Services and Probation Officer Specialists
- (c) Pretrial Services and Probation Officers
- (d) Pretrial Services and Probation Officer Assistants
- (e) Pretrial Services and Probation Technicians

(3) IT Support

- (a) Automation Manager
- (b) IT Security Officer
- (c) Systems Engineer
- (d) Security and Network Administrator
- (e) IT Technicians

(4) Officer Support, Records Management, Case Management, and Quality Control

- (a) Administrative Support Clerk
- (b) Pretrial Services Support Technician
- (c) Operations Manager
- (d) Administrative Support Supervisor

(C) The Probation Office and Pretrial Services Office do not presently employ any non-essential employees. Both Offices currently maintain a staffing level well under the current workload formula allowances. The Chief Officers and their Deputy Chiefs, in consultation with the Chief Judge, may change the status of Probation or Pretrial Services employees as necessary, based on changing circumstances in the Court and the length of the appropriations lapse; but in no event will any employee be furloughed who is performing services necessary to the public safety.

BY THE COURT:

Date: September 30, 2025

/s/ Wendy Beetlestone
WENDY BEETLESTONE, C.J.