

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

IN RE: COURT OPERATIONS )  
DURING ABSENCE OF )  
APPROPRIATIONS )

**SHUTDOWN ORDER**

In accordance with *The Guide to Judiciary Policy, Vol. 13, Ch. 2, § 220.30.10(e)*, Court units are directed to maintain a shutdown plan for use in the event of a lapse in appropriations.

In the event of a Government “shut down”, which is currently expected to exist beginning on Saturday, January 26, 2019, the Bankruptcy Court for the District of Delaware has determined that the functions performed by all judicial officers and staffs of judicial officers, as well as all employees of this Court and its Clerk’s Office are necessary and essential to address the Court’s constitutional duty to hear and decide cases without interruption.

Additionally, any proceeding regarding potential deprivation of a person’s property will be deemed most essential of all judicial functions and will require support staff. Such proceedings include, but are not limited to:

- a) First Day hearings;
- b) Sale hearings;
- c) Confirmation hearings;
- d) Disclosure Statements;
- e) Financing hearings;
- f) Hearings under section 365(d)(4)(B);
- g) Hearings re: Discharges;

- h) Hearings re: Motions to Extend Time to Appeal;
- i) Hearings re: Motions for Extension of Exclusivity;
- j) Hearings re: Statues of Limitations;
- k) Hearings re: Temporary Restraining Orders/Preliminary Injunctions

The Court will determine, on a case-by-case basis, action required on remaining pending cases. All such matters, including cases classified by parties as emergent, will be referred to the assigned judge or duty judge for review and determination if emergency court action is required.

Clerk's Office operations, which are hereby deemed essential to support the constitutionally mandated duties of the Court, will remain in effect. These activities include, but are not limited to, the following:

- a) Ensuring the proper and timely processing of all filings, motions, orders, emergency applications, appeals and other documents;
- b) Accepting and processing new bankruptcy petitions and cases;
- c) Collecting and depositing of fees and payments into the Treasury;
- d) Maintain official record of hearings;
- e) Process deficiency notices;
- f) Timely recording of Trustee payments due;
- g) Upkeep and maintenance of the Court's information technology systems; and,
- h) Timely processing of the Court's financial, budget, and human resources records and reports.

During a Government "shut down", the Court will continue to accept electronically filed documents via CM/ECF. The Clerk's Office will determine what procedures will be in place to receive and process paper filed documents such as pro se complaints, pleadings,

social security records, etc.

Additional information regarding the “shut down” will be posted and periodically updated on the Court’s website at: [www.deb.uscourts.gov](http://www.deb.uscourts.gov).



---

Christopher S. Sontchi  
Chief Judge  
United States Bankruptcy Court

Dated: January 16, 2019