

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA**

IN THE MATTER OF:

**PLAN FOR LAPSE IN
APPROPRIATIONS
FOR THE DISTRICT COURT AND
PROBATION OFFICE FOR THE
SOUTHERN DISTRICT OF IOWA**

ORDER

PUBLIC ADMINISTRATIVE ORDER

NO. 25-AO-6-P

ORDER

Pursuant to Volume 13, Chapter 2, § 230.50 of the *Guide to Judiciary Policy*, this Court adopts the following plan for operating during a lapse in appropriations for the Judiciary.

The United States District Court for the Southern District of Iowa is constitutionally and statutorily required to continue to exercise judicial power regardless of the status of appropriations. The Court, however, is bound by the strictures of the Anti-Deficiency Act, 31 U.S.C. §§ 1341-1342, in the event of a lapse of appropriations.

1. DECLARATION OF POLICY

(a) In accordance with the Act, the Court is required to limit its activities only to recognized exceptions to the Act, such as:

- (i) activities necessary to support the exercise of the Article III judicial power, *i.e.*, the resolution of cases in which there is a constitutional or statutory grant of jurisdiction;
- (ii) activities addressing emergency circumstances, such that suspense of the function would threaten the safety of human life or the protection of property;
- (iii) 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 to the United States Constitution);



FILED

By: Clerk's Office, Southern District of Iowa

10:22 am, Oct 17 2025

- (B) operating entitlement programs; and
- (C) executing activities needed for an orderly shutdown of other official functions.

(b) In accordance with these limitations the Court will continue to:

- (i) hear and decide cases without interruption;
- (ii) timely file and process all filings, motions, orders, emergency applications, warrants, and other litigation documents;
- (iii) collect and deposit fees and costs into the Treasury;
- (iv) disburse restitution or registry funds pursuant to Court Order;
- (v) accept and process new civil and criminal cases;
- (vi) continue regular administration of the jury and grand jury system, including approving payment of jurors through the Jury Management System;¹
- (vii) appoint attorneys for persons deemed eligible under § IV.A.1 of the Court's Criminal Justice Act Plan, authorize expert and other services as appropriate, and review and approve vouchers for payment;²
- (viii) produce reports on bail, sentencing, or release, and provide other services required by Judges for the performance of their constitutional duties in criminal cases;
- (ix) supervise individuals who have been released on conditions pending trial or sentencing;
- (x) supervise individuals under supervised release, probation, or parole and provide needed treatment services;

¹ Payment of jurors, however, will be suspended until funding is available.

² Payment of CJA vouchers will be suspended until funding is available.

- (xi) file new cases and maintain existing cases, as necessary to assist the Court in implementing its orders and judgments; and
- (xii) hold naturalization ceremonies at the District Courthouse or other locations, if consistent with the shutdown operations of the United States Citizenship and Immigration Services.

(c) The Court suspends all activities not specifically authorized in this plan, including:

- (i) hiring employees including in-processing new interns and/or pro bono law clerks;
- (ii) purchasing equipment, supplies, and contractual services;³
- (iii) entering into new contractual obligations;
- (iv) non-essential training;
- (v) non-case-related travel;⁴
- (vi) supporting public and private non-adjudicative functions such as bar organization meetings and functions, and moot courts; and
- (vii) attendance of judicial officers at public functions/appearances requiring security personnel.

(d) Those employees performing tasks essential to the constitutional and statutory mission of the Court are deemed to be excepted employees. Excepted employees must report to work during any lapse of appropriations unless granted leave.⁵ Employees who are not deemed to be excepted employees will

³ Even 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 essential activities. Further, payment on any goods and services acquired during a lapse in appropriations will be delayed until funds become available. The Court's Contracting Officer will notify contractors prior to an appropriations lapse as directed by the Procurement Management Division.

⁴ Travel reimbursement for case-related will be suspended until funding is available.

⁵ Pursuant to 31 U.S.C. § 1341(c)(3), excepted employees are entitled to take leave during any lapse in funding.

be placed in furlough status for the duration of the lapse in appropriations; employees in furlough status may not report to work and must not telework. Pursuant to 31 U.S.C. § 1341(c)(2), all employees, whether excepted or in furlough status, shall be paid for the period of the lapse in appropriations at their standard rate of pay when funding is available.

(e) The Court will advise the United States Marshals Service and the United States General Services Administration of the level of services required to maintain continuing operation of the Court system.

2. JUDGES AND THEIR STAFF

(a) Each Judge is mandated either by the Constitution or a federal statute to continue working despite a lapse of appropriations.

(a) Each Judge may employ staff, such as law clerks and judicial assistants, who are essential to the resolution of cases. Each Judge must notify the Clerk of Court if any staff member is to be placed in furlough status. Otherwise, all chambers' staff will be deemed excepted.

(b) During any lapse in appropriations, chambers' staff may only perform functions essential to the constitutional and statutory mission of the Court. Thus, chambers' staff may not work on ancillary projects, such as preparing materials for an article or speech, or perform non-essential administrative tasks.

3. CLERK'S OFFICE STAFF

(a) Clerk's Office staff perform functions that are essential to the Court's constitutional and statutory mission, such as:

- (i) ensuring the proper and timely processing of all pleadings, motions, orders, emergency applications, and other litigation documents;
- (ii) collecting and depositing fees, costs, and criminal debt payments into the Treasury;

- (iii) disbursing restitution and registry funds pursuant to Court order;
 - (iv) accepting and processing new civil and criminal cases;
 - (v) maintaining the Court's information technology ("IT") systems, including the Court's systems network, CM/ECF system, courtroom technology, e-mail, internal and external websites, and IT security;
 - (vi) performing regular administrative duties and support to both petit and grand juries, including processing payment of jurors in accordance with pre-existing procedures.
- (b) The employees performing these functions are listed by title below.
- (i) Administration and Oversight of Office's Statutory Duties
 - (A) Clerk of Court
 - (B) HR/Training Manager
 - (ii) Court Operations
 - (A) Chief Deputy
 - (B) Courtroom Deputies
 - (C) Case Administrators
 - (D) Court Reporters
 - (E) Project Manager
 - (iii) Jury Administrator
 - (iv) Financial Administration Staff
 - (v) Pro Se Law Clerks
 - (vi) IT Staff
 - (A) Director of IT
 - (B) IT Support Staff

(c) The Clerk of Court will determine the employees needed to perform essential functions, including the number of such personnel when more than one employee is performing the function. In addition, the Clerk of Court shall determine the excepted or furlough status of employees on a weekly basis in accordance with Vol. 13, § 230.50.40(a) of the *Guide to Judiciary Policy*.

4. PROBATION OFFICE

(a) Probation Office staff perform functions that are essential to the Court's constitutional and statutory mission, such as:

- (i) producing reports on bail, sentencing, or release, and providing other services required by Judges for the performance of their constitutional duties;
- (ii) supervising individuals who have been released on conditions pending trial or sentencing; and
- (iii) supervising individuals under supervised release, probation, or parole and providing needed treatment services.

(b) The employees performing these functions are listed by title below.

- (i) Administration and Oversight of Office's Statutory Duties
 - (A) Chief
 - (B) Deputy Chief
 - (C) HR/Training Manager
- (ii) Bail Reports, Presentence Reports, and Related Investigations
 - (A) Supervising Probation Officers
 - (B) Probation Officers
- (iii) Supervision
 - (A) Supervising Probation Officers

(B) Probation Officers

(iv) IT Staff

(A) Director of IT

(B) IT Support Staff

(v) Financial Administration Staff

(vi) Administrative Personnel

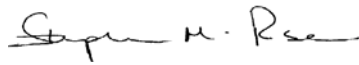
(A) Procurement Specialist

(B) Administrative Specialist

(c) The Chief Probation Officer will determine the employees needed to perform essential functions, including the number of such personnel when more than one employee is performing the function. In addition, the Chief Probation Officer shall determine the excepted or furlough status of employees on a weekly basis in accordance with Vol. 13, § 230.50.40(a) of the *Guide to Judiciary Policy*.

IT IS SO ORDERED.

Dated this 17th day of October, 2025.



STEPHANIE M. ROSE, Chief Judge
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA