

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

**IN RE: LAPSE IN
APPROPRIATIONS PLAN**

**DISTRICT COURT
GENERAL ORDER 2025-3**

In accord with the Guide to Judiciary Policy, Volume 13, Ch.2, § 230.50, and the Anti-Deficiency Act, 31 U.S.C. §§ 1341 and 1342, as amended by the Government Employee Fair Treatment Act of 2019:

IT IS ORDERED that the Lapse In Appropriations Plan (“Plan”) dated October 17, 2025 is approved.

Pursuant to the Plan and the provisions of the Guide to Judiciary Policy, during Phase 2 of a lapse in appropriations, the Court, its clerk’s office, and the probation office will perform only excepted activities.

During any lapse in appropriations, the Court and its employees will continue to:

- (1) Receive and process filings in all new and pending civil and criminal cases;
- (2) Hear and adjudicate issues in all new and pending civil and criminal cases, except as expressly stayed or continued by court order;
- (3) Enforce orders and judgments;
- (4) Collect and deposit funds with the Treasury;
- (5) Disburse restitution and court registry funds pursuant to court order;
- (6) Administer the jury system and, to the extent necessary, the grand jury system; however, payment from centralized funds may be delayed;¹
- (7) Appoint counsel and authorize services for criminal defendants; however, payment from centralized funds may be delayed; and
- (8) Supervise persons under supervision (i.e., individuals on supervised release, probation, parole, or pretrial supervision); provide needed treatment services to persons under supervision; and produce reports with regard to bail, release and sentencing or other matters in criminal cases.

During any lapse of appropriations, the Court and its employees will not:

- (1) Hire new employees or in-process new interns and/or pro bono law clerks;
- (2) Purchase equipment, supplies, or contract for goods or services;
- (3) Engage in non-essential training;
- (4) Engage in non-case related travel;
- (5) Engage in non-adjudicative activities, including but not limited to hosting public or private functions in the courthouse (e.g. naturalization ceremonies, bar organization meetings and functions, educational activities/courthouse visits or moot court);
- (6) Convene non-essential Court committee meetings; and
- (7) Judicial officers will not attend public functions that require security personnel.

¹ Payment from centralized funds may be suspended, but, once funding is available submitted, juror fees, CJA vouchers, and reimbursements will be paid.

Dated this 17th day of October 2025, at Denver, Colorado.

BY THE COURT

A handwritten signature in blue ink, appearing to read 'Philip A. Brimmer', is written above the printed name.

Philip A. Brimmer
Chief United States District Judge

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LAPSE IN APPROPRIATIONS PLAN

This Plan is submitted by the Executives of the Units of the United States District Court for the District of Colorado pursuant to Volume 13, Chapter 2, § 230.50 of the Guide to Judiciary Policy in implementation of the Court's responsibilities under the Anti-Deficiency Act and approved by the chief judge of the Court.

It is the policy of the United States District Court for the District of Colorado that excepted judicial branch activities continue and that all employees currently performing excepted activities continue to do so during Phase 2 of a lapse in appropriations.¹ Under the Anti-Deficiency Act and Guide to Judiciary Policy, excepted work is defined as:

- (1) 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;
- (2) emergency activities necessary for the safety of human life and the protection of property;
- (3) activities otherwise authorized by law; and
- (4) minimal activities needed for an orderly shutdown of other official functions.

Consistent with these limitations, during Phase 2 of a lapse in appropriations, the Court will continue to:

- (1) Receive and process filings in all new and pending civil and criminal cases;
- (2) Hear and adjudicate issues in all new and pending civil and criminal cases, except as expressly stayed or continued by court order;
- (3) Enforce orders and judgments;
- (4) Collect and deposit funds with the Treasury;
- (5) Disburse restitution and court registry funds pursuant to court order;
- (6) Administer the jury system and, to the extent necessary, the grand jury system; however, payment from centralized funds may be delayed;²
- (7) Appoint counsel and authorize services for criminal defendants; however, payment from centralized funds may be delayed; and
- (8) Supervise persons under supervision (i.e., individuals on supervised release, probation, parole, or pretrial supervision); provide needed treatment services to persons under supervision; and produce reports with regard to bail, release and sentencing or other matters in criminal cases.

All activities other than these will be suspended. The Court will not:

- (1) Hire new employees or in-process new interns and/or pro bono law clerks;
- (2) Purchase equipment, supplies, and contract for goods or services;³

¹ To the extent necessary, the Unit Executives are authorized to furlough employees not performing excepted activities on a continuing or intermittent basis in accordance with Volume 13, Chapter 2, § 230.50 of the Guide to Judiciary Policy.

² Payment from centralized funds may be suspended, but, once funding is available submitted, juror fees, CJA vouchers, and reimbursements will be paid.

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

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- (3) Engage in non-essential training;
- (4) Engage in non-case related travel;
- (5) Engage in non-adjudicative activities, including but not limited, to hosting public or private functions in the courthouse (e.g. naturalization ceremonies, bar organization meetings and functions, educational activities/courthouse visits or moot court activities); and
- (6) Convene non-essential Court committee meetings; and
- (7) Judicial officers will not attend public functions that require security personnel.

The Court will advise the U.S. Marshals Service and the U.S. General Services Administration of the level of services required to maintain continuing operation of the court system.

activities. Further, payment on any goods and services acquired during a lapse in appropriations could have payment delayed until funds become available through another continuing resolution or an appropriation. The court's Contracting Officer will notify contractors prior to an appropriations lapse as directed by the Procurement Management Division.