



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII**

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**PLAN REGARDING BANKRUPTCY COURT
OPERATIONS DURING A LAPSE IN APPROPRIATIONS**

During the period beginning on October 20, 2024, and ending when Congress enacts appropriations or a continuing resolution funding the operation of the Federal Judiciary ("Phase 2"), the Federal Judiciary will operate under the terms of the Anti-Deficiency Act, 31 U.S.C. § 1341, *et seq.*, which only allows for excepted functions to be performed during a lapse in appropriations. These excepted functions include the continued exercise of the Court's constitutional and statutory authority to hear and resolve cases and proceedings, as well as matters that involve the protection of human life and property.

During Phase 2, the Court will (i) continue to hear and resolve cases without interruption; (ii) timely process all filings, motions, orders, applications, and other litigation documents; (iii) collect and deposit fees and costs; (iv) disburse registry funds pursuant to court order; (v) accept new case petitions; (vi) maintain 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; and (vii) perform any other duties necessary and essential to support the excepted functions of the Court.

During Phase 2, the Court will suspend activities not authorized in this plan, including (i) hiring employees, including onboarding new interns; (ii) purchasing equipment, supplies, and contractual services; (iii) entering into new contractual obligations; (iv) non-essential training; (v) non-case-related travel; (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.

The Court has determined that all chambers and Clerk's Office staff currently perform functions that are excepted from the Anti-Deficiency Act as necessary to the exercise of the Court's constitutional authority and the continued resolution of cases according to normal schedules and priorities. All employees shall continue to work during Phase 2, unless otherwise specifically directed. Staff must perform work on excepted activities only. The Court will reevaluate its staffing plan periodically to ensure compliance with the Anti-Deficiency Act; if it determines that an employee is not performing excepted activities on a full-time basis, that employee will be furloughed.

in whole or in part and then recalled when necessary to continue performing excepted activities. Employees in furlough status may not report to work.

31 U.S.C. § 1341(c)(2) provides that 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.

This plan will remain in effect until amended or superseded by further order of this Court.

Approved:



/s/ Robert J. Faris

United States Bankruptcy Judge

Dated: 10/17/2025