

FILED

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO

2013 OCT -1 PM 2: 26

KENNETH JORDAN
CLERK OF COURT
U.S. BANKRUPTCY COURT
CINCINNATI, OHIO

In The Matter of : **General Order Number Eighteen**

Continuation of Court Operations : GENERAL ORDER: United States
in the Absence of Appropriations : Bankruptcy Court, Southern District
: Of Ohio (Cincinnati, Columbus and
: Dayton) **Effective October 1, 2013**

This Order, **effective October 1, 2013**, provides for the continued operation of all functions of the United States Bankruptcy Court for the Southern District of Ohio, whenever there is a lapse in funding. The authority for issuance of this Order is contained in the Guide to Judiciary Policies and Procedures, Vol. 13, Chapter 2, §220.30.60 that provides as follows:

§ 220.30.60 Bankruptcy Courts

- (a) These courts, as “units” of the district courts, should continue those operations that may be considered part of the exercise of the judicial power of the United States or which preserve life or property.
- (b) Because their salaries are fixed by statute, bankruptcy judges may not be furloughed without pay, and therefore should continue to work full-time during an appropriation lapse.
- (c) The judges of each bankruptcy court may determine which bankruptcy court personnel will be needed.
- (d) Each bankruptcy judge should, to the extent practical, hear arguments and issue orders and judgments only in adversary proceedings, other controversies, or where essential to protect property.

The Judges of this Court have determined that business will be conducted as usual and without interruption. This action is taken in view of caseload demands and in order to ensure continued service to financially distressed debtors and adjudicate the rights of creditors, in accordance with our Oath of Office.

Further, the Judges of this Court have determined that all personnel, on board as of the date of any lapse in funding, are deemed essential. This action is taken in view of caseload demands, and in order to fulfill financial accountability requirements, procurement responsibilities, personnel management obligations, and the necessity to ensure the efficient operation of all computer hardware and software. All such personnel will report to work, and will be compensated until any remaining funds from fee and other charges are exhausted.

In the event that any lapse in appropriations exhausts all fee income, all personnel will be encouraged to remain on duty, premised on the substantial likelihood that such services will be compensated, upon restoration of funding.

IT IS SO ORDERED.

FOR THE COURT


Charles M. Caldwell
Chief Judge