

DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

**FILED**  
DISTRICT COURT OF GUAM

OCT 16 2013

CBW

**JEANNE G. QUINATA**  
CLERK OF COURT

In re:

**Plan for the Emergency Continuation  
of Essential Services During a Lapse in  
Appropriations.**

GENERAL ORDER NO. 13-0009

The Court adopts the following plan for operating in the absence of an appropriation or continuing resolution. Essential judicial branch activities will continue. The activities set forth in this plan, and the employees who perform them, are essential.

Essential work includes:

- (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; and
- (3) Activities otherwise authorized by law, either expressly or by necessary implication, including:
  - (a) Items guaranteed by the Constitution;
  - (b) Activities funded with no-year appropriations (e.g., information technology resources, jury system, federal defender program);
  - (c) Entitlement programs (e.g., Judicial Survivors Annuities System, which is partly funded by judges' salaries); and

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2 (d) Minimal activities needed for an orderly shutdown of other official  
3 functions.  
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5 The Court will continue to hear and decide cases; process civil, criminal, magistrate and  
6 bankruptcy cases; and issue and enforce judgments. Judges will continue to work full-time. Each  
7 judge's chambers staff, i.e. law clerks and judicial assistants, are essential to the resolution of  
8 cases. Probation and pretrial services officers, and administrative staff who make their work  
9 possible, will continue to supervise pre-trial releasees, probationers, those on supervised release,  
10 parole, and those under the custody of the Bureau of Prisons on prerelease status. Clerk's office  
11 staff has previously been reduced by budget cuts to the point that all remaining employees are  
12 necessary to the resolution of cases. Accordingly, all clerk's office employees are essential.  
13 Essential employees must report to their assigned duty stations during their normal work hours.  
14 Travel that is not necessary for case resolution will not be undertaken, unless approved by the  
15 Chief Judge.

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17 The General Services Administration, the Federal Protective Service and the United  
18 States Marshals Service are requested to maintain all functions necessary for the continued safe  
19 use of all United States District Court facilities in the District.

20 This order shall remain in effect throughout the current fiscal year.

21 **SO ORDERED** this 16<sup>th</sup> day of October, 2013.

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24 Frances Tydingco-Gatewood  
25 Chief District Judge  
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