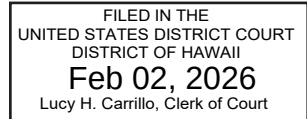


IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII



ORDER REGARDING
OPERATIONS OF THE UNITED
STATES DISTRICT COURT
DISTRICT OF HAWAII DURING
A LAPSE IN APPROPRIATIONS

ORDER

**ORDER REGARDING OPERATIONS OF
THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII
DURING A LAPSE IN APPROPRIATIONS**

This order shall become effective upon a lapse in available appropriations for the Federal Judiciary as determined by the Administrative Office of the United States Courts.

Once the appropriations lapse, the court is required to limit its activities and functions to recognized “exceptions” to the Anti-Deficiency Act. Pursuant to the Guide to Judiciary Policy, Volume 13, Chapter 2, Section and the October 11, 2023 memorandum, from Roslynn R. Mauskopf, prior Director of the Administrative Office of the United States Courts. “Excepted activities” include:

- Activities necessary to the exercise of the Judiciary's constitutional functions. This may include the resolution of cases in which there is a constitutional or statutory grant of power;
- Activities addressing emergency circumstances, such that the suspension of the function would imminently threaten the safety of human life or the protection of property; and
- Activities otherwise authorized by law or by necessary implication. This will include the Judiciary's administration of entitlement payments funded by the Judiciary Retirement Trust Fund and other limited activities.

The District Court has a constitutional and statutory duty to continue to hear and resolve cases and the United States Probation and Pretrial Services Office have the unique responsibility to ensure the safety of the public through the supervision of individuals under the court's jurisdiction.

The Court determines that its constitutional and statutory responsibilities require the continued performance of certain excepted functions during a lapse in appropriations. Employees whose duties directly support these excepted functions, including the exercise of the Court's Article III authority and activities necessary for the safety of human life and the protection of property, are designated as excepted and shall report to work during their normally scheduled hours.

Employees whose duties do not support excepted functions will be furloughed in accordance with applicable law and guidance for the duration of the lapse in appropriations.

Purchasing, travel, and other expenses shall be limited to those absolutely necessary to support the operation of the court and as permitted by law.

The court will review this Order on at least a weekly basis to reexamine whether the court can exercise its excepted functions at less than full staff. Further, upon the enactment into law of an appropriation to fund the Federal Judiciary, or a Continuing Resolution, this Order shall be automatically vacated.

The Clerk of Court is directed to notify the United States Marshals Service, the Office of the Federal Public Defender, the United States Attorney's Office, and the General Services Administration of the entry of this Order.

IT SO ORDERED.

DATED: February 2, 2026 at Honolulu, Hawaii.



/s/ Derrick K. Watson

Derrick K. Watson
Chief United States District Judge

Order Regarding Operations of the United States District Court for the District of Hawaii During a Lapse in Appropriations