



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

HONORABLE ROBERT J. CONRAD, JR.
Director

WASHINGTON, D.C. 20544

September 24, 2025

MEMORANDUM

To: All United States Judges
Circuit Executives
Federal Public/Community Defenders
District Court Executives
Clerks, United States Courts
Chief Probation Officers
Chief Pretrial Services Officers
Senior Staff Attorneys
Circuit Librarians
Chief Circuit Mediators
Bankruptcy Administrators

From: Judge Robert J. Conrad, Jr.
Director

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", is placed over the printed name of the Director.

RE: CONGRESSIONAL ACTIVITY ON A FISCAL YEAR 2026 CONTINUING RESOLUTION
(IMPORTANT INFORMATION)

Congress has not completed work on any fiscal year (FY) 2026 appropriations bills, including the Financial Services and General Government bill that funds the Judiciary. Accordingly, to avoid a lapse in appropriations, a continuing resolution (CR) will be needed to fund the federal government when FY 2026 begins on October 1, 2025, pending future enactment of full-year FY 2026 appropriations bills. This memorandum provides an update on congressional action on a CR and also discusses the Judiciary's limited ability to operate on fees and balances in the event a lapse in appropriations occurs next week.

Congressional Activity on Continuing Resolution Legislation

On September 19, 2025, the House of Representatives passed a CR to fund the federal government through November 21, 2025. However, the House-passed CR failed in the Senate, and an alternative CR drafted by the Senate minority also failed passage.

The path forward on a FY 2026 CR is unclear at this time, and a government-wide lapse in appropriations of some duration is highly possible. Both the House of Representatives and Senate are currently in recess. The Senate will reconvene on Monday, September 29, 2025, and

is expected to vote a second time on the House-passed CR through November 21, 2025. The House of Representatives is not scheduled to reconvene until *after* September 30 so will not immediately consider any alternative CR legislation in the event the House-passed CR fails again in the Senate. Administrative Office staff are tracking CR legislation closely.

Lapse in Appropriations Planning

In the event a CR is not enacted by midnight Tuesday, September 30, 2025, federal agencies will have to implement shutdown plans immediately. The Administrative Office (AO) currently estimates that the Judiciary would be able to sustain paid operations through the use of fee balances and no-year appropriations through Friday, October 3, 2025. In a lapse scenario, Judiciary employees would report to work as normal on Wednesday, October 1, 2025, and await further guidance from the Administrative Office. Pay for all judges will be issued on October 1 and for all staff on October 10 as planned.

The October 3 date is based on preliminary estimates and will be updated immediately after FY 2025 closes and final fee and no-year balances are assessed to determine if paid operations can be sustained longer. The AO will make every effort to extend paid operations through the pay period ending October 17, 2025. However, current carryforward projections are not sufficient to cover the entire pay period, and partial paychecks are not a viable option.

I realize that the short duration the Judiciary can operate on fees and no-year balances is a very sharp change from the FY 2019 lapse in appropriations when we were able to sustain paid operations with fees and balances for the entire five-week lapse. Tight budgets in recent years, including a full-year CR in FY 2025, have reduced the availability of carryforward and other balances needed to sustain paid operations during a lapse. If projected year-end spending does not materialize, carryforward balances will be higher, and the Judiciary may be able to maintain paid operations through October 17th.

Guidance on operating during a lapse in appropriations is available at [Lapse in Appropriations Guidance | JNet](#). Additional guidance for operating under either a CR or a lapse in appropriations, as appropriate, will be provided once the outcome of the CR legislative process is clear.

cc: Honorable Robert M. Dow, Jr., Counselor to the Chief Justice
Honorable Robin Rosenberg, Director, Federal Judicial Center
Mr. Kenneth P. Cohen, Staff Director, U.S. Sentencing Commission
Budget Analysts
Financial Administrators