

United States Bankruptcy Court
Northern District Of New York

Margaret Cangiloz-Ruiz
Chief Bankruptcy Judge

James M. Hanley U.S. Courthouse and Federal Building
100 S. Clinton Street, P.O. Box 7007
Syracuse, New York 13261

Notice to the Bar

January 18, 2019. As a result of the lapse in appropriations to fund the federal government, including the courts, the United States Bankruptcy Court for the Northern District of New York, following guidelines of the Administrative Office of the United States Courts, has joined in the cost-cutting efforts across the Judiciary to delay or defer non-mission critical expenses. As a result, federal courts have been able to sustain operations and employees are in full-pay status.

At some point, currently projected to be after January 25, 2019, existing funds will run out unless an appropriations bill or continuing resolution is passed. At that time, employees will not be paid, and the court will enter a second phase of the funding lapse. During this second phase, provisions of the federal Antideficiency Act (31 U.S.C. §§1341-42) (“Act”) will govern this court’s ability to incur obligations and only excepted functions will be permitted. Under the Act, the court cannot accept voluntary services (i.e., those performed without pay) except for the performance of excepted functions, defined to include those for “emergencies involving the safety of human life or the protection of property.”

Consonant with what other bankruptcy courts are doing across the country, under the “protection of property” exception contained in the statute, the Bankruptcy Court for the Northern District of New York will continue select operations, including docketing new cases, receiving documents for filing, and conducting proceedings which fall under the protection of property exception in the administration of bankruptcy estates. Unless you hear from chambers, you may assume that calendars as posted will proceed.

We appreciate your patience with the court during this unsettled period. Please keep in mind that the court will be operating with limited staff. If you have a specific concern regarding the foregoing, you may bring it to the attention of the Clerk or my chambers.