

# Attorneys Weigh in on the Government Shutdown



Editor's note: These stories were submitted while the government was still shut down.

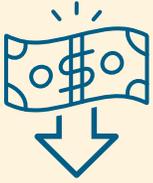
The 35-day federal government shutdown from December 2018 to January 2019 left many federal agencies—including the federal courts, immigration courts, and countless other agencies—without funding. It was clear a federal government shutdown would affect attorneys employed by the federal government, but the 2019 shutdown pervaded into our legal community's private practice in less obvious ways. Here are examples of how Minnesota private practice attorneys have felt the shutdown.



**Edited by  
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Ms. O'Connor is an attorney with the law firm Hellmuth & Johnson. She helps clients find practical solutions to their complex business and real estate needs.



## SBA LENDING TRANSACTIONS

A large part of my commercial lending practice focuses on government guaranteed lending. During a lapse in appropriations, the Small Business Administration (SBA) is unable to make loans, and small businesses are unable to close transactions dependent on SBA financing. The SBA's shutdown directly impacted small business borrowers, lenders, vendors, and transactional parties and is disrupting small business operations across the country.

– James T. Keig,  
*Anastasi Jellum*



## PRODUCT LIABILITY / FDA ENFORCEMENT

I help victims of foodborne illnesses (like Salmonella and E. coli) bring claims against food companies. During the shutdown, the FDA—which performs routine inspections of about 80% of US-based food production facilities—had to furlough food safety inspectors. FDA food safety inspections can play a critical role in preventing or minimizing the scale of foodborne illness outbreaks because inspections can trigger product recalls, potentially before consumers get sick. For more than a month, the FDA completed no routine domestic inspections. While some high-risk inspections resumed, many foods considered “low risk” have caused major outbreaks in the last few years—and these facilities will remain unchecked.

– Lindsay Lien Rinholen,  
*Pritzker Hageman*



## GOVERNMENT ENFORCEMENT / CORPORATE INVESTIGATIONS

In my government enforcement and corporate investigations practice, I have touchpoints with many government agencies and have certainly felt the effect of the shutdown. Much of the civil division of the U.S. Attorney's Office for the District of Minnesota has been furloughed, and civil cases involving the federal government have stalled as a result. A FOIA case I'm working on against the United States Postal Office, for example, has been stayed pending restoration of appropriations. In addition, many federal agencies with investigative functions have furloughed most of their staff and thus have limited resources available to investigate and develop new and pending cases. The Securities and Exchange Commission, for example, has limited its staff to those involved in responding to “emergency situations involving the safety of human life or protection of property.”

– Caitlin L.D. Hull,  
*Dorsey & Whitney*



## IMMIGRATION

My client and I had to wait until the morning of a hearing date to determine whether or not a client needed to attend, as we didn't know if the government would reopen in time. Because it didn't, his case will now be rescheduled to another, uncertain date. An additional continuance prolongs his already stressful and uncertain case, which has been pending for about eight years. He is married to a U.S. citizen with whom he wants to be able to travel, adopt, buy a house, and start their life together. That all has been put on hold due to delays in immigration processing.

– Lindsey Greising,  
*Steven C. Thal, P.A.*