

Access to Court Resources: PACER, court records, and more – Transcript of audio

Please stand by for realtime captions.

We will get started here in about five minutes. Thank you. Hello, everyone. It's Alisha here again. It is about 2:00 p.m. so I think we'll get started. Good afternoon and good morning as it may be for you. Welcome to our FDLP webinar today, access to court resources: PACER, court records, and more. I am a support librarian here at GPO and I will be your -- here today. Please feel free to put your questions and comments and chat. With that, I will introduce our presenters. Today, we have Anna Russell, librarian in the district of Alaska. And Nicole peaks, librarian for the Third Circuit, District of New Jersey. I will hand it over to our presenters who will take it over from here.

Hello, everyone. A couple quick points about your presenters. Both Nicole and I enjoy the great outdoors. In the middle here is a moose from my front yard and Nicole had her photo taken near Lake George in the Adirondacks. She had just been told a brown bear was spotted nearby. So we are used to watching out for lots of outdoor creatures. We like to say that we are quiet and fast. Moose, like librarians, are also good searchers and browsers. We glide through a difficult search like a moose glides through a forest. With that, Nicole, let me turn it over to you to start us off. Thank you.

Thanks, Anna. For our agenda today, I am going to start us off with a foundation for the why and how. And then Anna is going to take a deep into written opinion territory, and in both of us will discuss public access to court records and where to find them from court run sites and other free resources. Without further ado, we will do our first full question.

Just one moment. Okay. We have launched the poll. Go ahead and submit your answer and be sure to submit please.

How many of you have actually heard of the E government act?

I still see some people are filling the poll out. I will just give a little extra time.

No problem.

I am going to go ahead and close the poll out. Should see that the answer is actually kind of across the board. 30 people responded with yes, they heard of it, no, 20 said maybe, and 31 have not responded.

Okay. Just to let you know that e-government itself is defined as the use of technology. Particularly the Internet as a means to deliver government services and to facilitate the interaction of the public with government entities. Why are we even discussing the e-government act? Actually, in December of this year, that will mark the 20th anniversary of the passage of the e-government act. I also read too many pages of this act so you have to. The purpose of the e-government act was information management of the federal government but also authorizing upgrades to I.T. and systems management. In using Internet-based technology to make it easier for citizens and businesses to interact with the government, state taxpayer dollars, and -- don't make indication. E-government was not just putting online but it was about using technology to its fullest potential to provide accessible services and information. At the time of the passage, pulling data from the foundation show that over 40 million Americans had used the Internet to find federal, state, and local policies and information, and more than 20 million of those

users merely access websites and email to submit complaints. The act set the standards for categorizing and indexing government information and standards for the required content on agency website. And require them to create like directories for the website. In passing the act, Congress noted its intent was for the judiciary to move from a C structure in which the electronic docket system were supported by user fees to a free structure in which this information will be freely available to the greatest extent possible. The goal is to make access to information more user-friendly. So, what brought this about? Actually, it was the Supreme Court. The Supreme Court established a First Amendment right to ask his opinions with paces from the 1980s that are listed here. The Supreme Court has only ever explicitly stated that there is a First Amendment right of public access to criminal trials and pretrial proceedings. One of the cases where axis of the press to the criminal proceedings with locked by the judge because there had already been Primus trials in this particular criminal proceeding, and he was concerned that further publicity or presence of the public in the small historic courtroom which incidentally was where Patrick Henry had successfully challenged the crowns authority of King George to overwrite the law. May spoil his criminal case for the fourth time. With the consent of those parties, the judge closed the courthouse doors to the public for the duration of the trial. And the Richmond newspapers sued to regain access. That went to the Supreme Court. What does this have to do with public access to written opinions online? Well, the Supreme Court subsequently extended the transcendent right of public access to public criminal court proceedings to written opinions from those criminal proceedings. And several circuit courts in turn applied this ruling to other judicial records including civil opinions and pleadings. So, in 1989, what we now know as PACER was created as a pilot project to create District Court records available to the public. It was outmoded and out of touch with the current technology. Because the old pacer was a bankruptcy system that was actually telephone base. You can call in with a Social Security number with the party and you would incur a one dollar per minute charges to listen to a robotic voice reread a status of the case record. This was primarily used by the collection law firms and consumer law matters to determine if cases would proceed if there were no bankruptcy in place. So, let's go into some more of the history of the e-government act. Back in the 90s, Al Gore had made a push to make more agency information accessible, and ironically, the e-government initiative was supposed to do this without regard to whether or not the user had a computer. The first step to making government information more accessible was the Clinger Cohen act which was part of the defense spending bill. Focused on a narrow range of issues including to decentralizing I.T. management within the U.S. federal government and Pilate testing new I.T. procedures and establishing positions of chief information officers in major departments and agencies. The e-government act was first introduced with bipartisan support during the 107 Congress at Senate Bill 803 by my former Senator -- I was living in Connecticut at the time. This initial bill was itself partly the product of comments received a website launch by Senator Lederman and Senator Fred Thompson on May 8th of 2000. The website was called the e-government project and solicited comments from the public. As well as from government agencies on 44 different topics and was referred to a experiment in interactive legislation. Nearly 1000 comments were submitted in approximately one half of them were posted on the website after the committee reviewed them. On March 21st 2002, the Senate committee on governmental affairs approved an amendment in the nature of a substitute for Senate Bill 803 which was then referred to the committee on government reform. This amended bill proposed the language was changed from being mandatory to prescribe it to the extent necessary. Was to prevent the charging of fees at a marginal cost at disseminating information. In section 205 which is primarily the section that covers the judiciary, the law itself was divided into five titles and incorporates language from four other bills that had been introduced separately in Congress. It also amended different parts of the U.S. codes in the areas of Federal information policy and information security. So section 205 directs the federal courts to develop websites containing information about the operation of the court including courthouse locations, contact numbers, court rules, dockets, and related materials including written opinions and filings. And

in 44 USC 3501 paragraph a paragraph five, it states that access to the substance of all written opinions issued by a court should be regardless of whether such opinions are to be published in an official court reporter in text searchable format, and and I will now dive deeper into what publication means and what written opinions are.

Thank you, Nicole, and just a reminder to the audience, please do add questions to chat as we go through our slides. And we will be happy to address as many as we can at the end of our presentation or if we are able to, we will try to jump in and answer quick questions. Now, I am going to talk about one of the e-government act requirements which was creating free digital opinions and what that means. While the pacer system itself has been around since about 2006, in 2012, the administrative office at the cords partnered with a few courts across the country to pilot a new at the time automated bridge between the judiciary and the legislative branches government publishing office. This has been a great partnership across different government branches. From this 2012 memo on the slide, it states that opinions from the pilot are already one of the most heavily used collection and what was then called fences or FD SYS. We are going to be highlighting the great work in the Gulf info.gov -- what I first want to discuss is this congressionally created written opinion term. It is a term of art that is stemming from what now you are more well aware of which is the e-government act . A written opinion is any document issued by a judge or judges of the court sitting in that capacity that sets forth a reasoned explanation for a courts decision. The written opinion, the responsibility for determining what a written opinion is does rest with the authoring judge. And for courts of appeals, only those documents designated as opinions of the court need the definition of written opinions. There is a few different parts of this term to be aware of. The goal here at this site is not to make this more confusing, but perhaps a nice way to think about this keyword arena is case law is a broad term book ending all of these more specific legal terms and written opinion can be thought of as a book and on the other side meant to encompass almost as much as case law for the realm of public access. All of these terms are what we use in courts and the legal community to signal different things about judge made law. So, many of you may be familiar with love reporters. These are printed sets of case law. You may be most familiar with the print bound volumes, all court decisions that are in a case law print reporter her the e-government act can be considered written opinions and should therefore be freely available to the public. I also may say this more than once, but Nicole and I are focusing on federal law. There are many types of jurisdictions like state law, but we are focused on federal law. Here are more examples of judge made law that should be freely available to the public. These are at the federal appellate court level. You can see these formatted either print or digitally. Here are examples at the District Court and from magistrate judges. You can also find bankruptcy judge written opinions. So, according to the e-government act, the written opinion is set in motion in each court chambers. But court Liberians help to make judicial law available to the public. And now we're going to turn to what you probably really want to know which is how they freely access court materials.

I apologize. Your sound just suddenly went kind of a bit wonky. Some people are hearing it fuzzy. I am hearing it as a tin can. Do you want to try to flip over to the other option that we had gone over earlier or do you want to try to dial in?

Okay. I was afraid of the headphones. It is kind of my worst fear to have a sound malfunction. Ashley, thank you very much. Hopefully this is better. Now we have to talk about the elephant in the room which is PACER and there are a lot of points to keep in mind about PACER. So now navigating entryways into the system. PACER is free but only for the written opinions which we have just discussed. And for downloading certain amounts of files from the system, when courts think of PACER, they think of these docket sheets. Which are like giant tables of contents organize the full list of files which are associated

with a given case. Public access to court, electronic records or PACER cannot give full free access to everything that is included in a docket sheet. This fundamental architecture of the system creates layers in the system. So if a file is available online, there will be a hyperlink and the system will tell you the cost before you download. And if there is not a hyperlink, the file will not be as easily or readily available. And you could need to work with the national archives to obtain the material. This is especially true for cases that were pre-pacer or pre-2006. Fees have to be part of the system of accessing electronic court records other than written opinions. I will say this more than you want to hear it, but written opinions are free. If you haven't seen this case in the news, the national consumer Law Center alliance for Justice and the NV LSP which is the national veterans they shrank Nicole probably knows

It's right there. Legal services program.

Thank you. This is a very big case that has concluded what some have called a remarkable settlement. The settlement of 125 million dollars class settlement would reimburse automatically up to \$350 for PACER fees paid between April 21st, 2010, and May 31st 2018. Users who accrued more than \$350 in fees in that timeframe would also receive a proportional share of the settlement. Attorneys for the plaintiffs estimate the class includes at least 400,000 PACER users . In case you were curious, it is actually the largest law firm to alongside the commercial data aggregators and government agencies that generate some almost 90% of the systems \$140 million in revenue to the judiciary according to congressional data. So, this class settlement was a very big deal and very recent. Why did you register for a PACER account? This is so the users pay for certain search functions and all the court files that they can access via the court docket sheet that they can see in the PACER system. Even to access the free written opinions, which are free, through the PACER system , you do need to register for an account. And it does require a credit card to be on file. PACER is not the only way to access written opinions, but it is the first system we are discussing. I thank you, Nicole, forgive me this helpful back. Did you know there are over 30,000 court employees over a 650,000 lawyers who practice in the U.S. federal courts, and over 1 million registered public users and organizations that interact with PACER. Needless to say, it is a giant system. So, okay. PACER isn't exactly what you may think it is. It isn't a closed loop database system at all. But rather a layer on top of the electronic court records. What we call CM/ECF for the case management electronic case filing system is actually the closed loop systems that each court has and allows PACER to connect to it. And the courts have also created the PACER case locator later which allows users to do something across course. PACER is the public view , and CM/ECF is the internal court view as well as the case party view. This is important for distinguishing because there are sealed records that will not be publicly available. Here are the three avenues for routes into the system and their starting points. I have a screenshot of one district court CM/ECF your L that PACER case locator and the PACER.U.S. courts .gov that most of us are familiar with or you have to choose the court you want to navigate you. It may be confusing at first, but no matter what route you take, if you're looking for a particular case file, it means you're looking for particular court. You will end up at a CM/ECF site. These different avenues offer different ways to either get to the court site you want or especially with PACER case locator to look at case file and record options. Remember, all paths lead to court CM/ECF URLs , and the PACER case locator allows for a couple extra nationwide search options . Hopefully it is helpful to know how the federal court store and give access to their files. PACER is a connection later that is how vendors and GPO connect to court records. So, as a reminder, records are free if you fit into one of these five categories. And number five is that the court written opinions are always free. And number one, if you access \$30 or less worth of court records within a quarter, if you are part of an exemption category, if you are physically at a federal courthouse and need records from that radicular courthouse, or you're a litigant in your particular case can get your records. Those are the different categories. Here is a screenshot of a CM/ECF District Court entry page. There are long classes on using our electronic

court record systems which is to say that we really don't have time now to do a deep dive into the system. You can find the free written opinions located under the reports tab when you enter any court CM/ECF site. When you click on that written opinions report area, this is what you will see. These are the filter options you will see. Many courts though on their public.gov websites now provide written opinions link. So that the public can avoid the registration barrier. This free report area and PACER is date searchable. There are a few other search options that you see. Unless a user already knows what they are looking for, without the ability to keyword search, these efforts can be minimal. What they do do is allow other research databases poll the free documents and make them searchable. Like GPO has done. Again, the PACER case locator is a nationwide overlay connecting all the court CM/ECF sites. For this slide, I ran a ridiculously large search in the party search area to see what would happen. Before users are charged, the system the caseload locator reminds me that no fee will be charged until the search results are downloaded. You should also be aware that the system does not use dynamic searching in these fields. You might have to look for U.S. or USA or it United States typed out. Another example would be Commissioner might be spelled out or just COM M. All of this is to say that there is no wildcard searches. Unfortunately. So, to sort of summed this up and hopefully help with these different layered approaches to the gigantic system, here are a couple quick examples of the different uses. If you have a specific case, a docket number, or a party name, you can go into the main PACER.U.S. courts.gov. If you have a patron who is doing research not tied to a specific case, the nationwide case locator later or if they are looking at a particular district court, they can go directly to the CM/ECF site. If you are wanting to start across multiple courts, the only layer from what I have been talking about is the PACER case locator. That they would have to use. And then if you want to do keyword searches, you would want to go to govinfo.gov. I am going to turn it over to Nicole on where to point your patrons.

Thanks, Anna. As you can see, PACER is not user-friendly for certain types of research activities. It doesn't provide bulk access to data. There is also privacy concerns and you can't use it as a site either for legal research because it lacks the system of unique identifiers. So, I'm going to give you a few alternative sites where you can your patrons were looking for court opinions. And we can find some case citations if they don't have access to a paid vendor. So, one of the sites where we typically point them is govinfo.gov which is the free source that I am sure you are all familiar with. It has multiple collections and they are a collaborative effort between the legislative branch. And the other two branches of government to provide free public access to fulltext. The GPO has public access to the subpoenas come from selected United States appellate districts and bankruptcy courts. And we in the courts contribute this area of the govinfo .gov on the collections. It is the common vision of written opinions that are so designated by each chamber. Each evening uploads documents that are designated as written opinions as we discussed earlier. You can see that you can enter the court collection by the type of court. You can also search through all court opinions that have been parsed from PACER or CM/ECF when the job has run. This year is a quick screenshot showing the advanced search options which you can easily see is very robust. And a litigant may vary like you know a year range they could search. They could then refine by the collection of selecting U.S. court opinions and they can put in their fulltext searching of multiple keywords in order to find the court orders and written opinions that are very similar in nature to what they are litigating. So, we are fans of the GPO and just to reiterate, if you don't need pleading, such as motions or to look at a full docket sheet for looking at complaints or other example of orders and memoranda, then the GPO is where you should be looking. However, if you need to see documents and a timeline of how a case developed, then that is where you would access PACER. The GPO is a good starting point to get a good docket number to find a judges name, or a date that you can use to better formulate your queries in PACER. Another place that I like to look actually, and I just want to briefly touch on, are two paid vendor searches. For keyword searching. One being court link and dockets from Bloomberg. I most often use Bloomberg dockets for keyword searching because it does

keyword search in PACER. That way I can never the jurisdiction and use terms that would point me exactly to the docket number that I need to look for. That does save on potential charges if you have access and are already paying for Bloomberg because you're running a single direct query, and it will tell you which specific documents to look at. That does help keep the cost bloated three dollar per document charge or the \$30 per month for sure. Although Bloomberg is extensive and going forward, and who knows what the structure will be after the settlement has been paid out and PACER is reformulated. Court link also provides similar functionality, but it can be hit or miss of the documents are available through a hyperlink neither court link or Bloomberg. Sometimes you can view them without going into PACER. It just depends if another user has requested and paid for the information to be uploaded. Another source that you can use actually is Google scholar. Google's launch of their free and searchable law database began in November 2009. What is their source of this caselaw? Google says that the caseload is from a major legal information vendor. If there is a reporter citation, then you can find it in Google. In theory, with little access to indexing terms and site maps. That should mean that all written opinions on the courts website should be viewable in Google. You can search for a PDF through the indexing of URL in Google. It is possible to search opinions across most of the circuits because Google does index by including terms in the courts have given Google access to their indexes. If you are doing a site search using sites: W WW, you could use a wildcard or what in the specific court name adding also U.S. courts.gov and then the terms you would like to search for. Such as if you are looking for a Social Security case. It will then sweep through all of the courts that are open to cool, with domain names in the similar pattern, and documents other's than opinions at the course it may also be retrieved. And there are other sites that you can Google. For example, if you had a case citation or a docket number, and you're looking for a landmark case, you can then Google those cases and it will take you to the original site that has caselaw and other pleadings that are available. However, Google does not have everything, and I have looked up criminal opinions from my own court and I have found that they are available as nonpresidential opinions on the third Circuit Court website. They are listed as not for publication in Westlaw and they are on GPO's God of info govinfo .gov. Wherever Google is pulling is information from it may or may not be searching for things that are selected for a publication. But the bottom line is Google does not have everything. It has a lot of things and it is a good tool to use. But it doesn't have everything. Another place we can find court opinions is actually to go directly to the court website. As is required under the trailer act, they have to make documents designated as written opinions freely available. You are a couple of the examples of the basic types of U.S. courts.gov facing. One is the bankruptcy court and the other is an appellate website. Note that courts are placing written opinions in these.gov sites and they are a good starting point if you have research on a multidistrict litigation designated and VL cases as well as more well-known class action suits such as Johnson and Johnson litigation or any hurricane Sandy claims. You can go to the space record that is handling the claim and find the relevant pleadings in the position documents all freely available on the originating court sites. The opinions on these sites are listed chronologically however. As I mentioned previously, if you need to do a keyword search, and that capability will vary widely with each court. The second and third court. These courts have the robust keyword searching, but again, if the Circuit Court or the District Court itself does not have a good keyword search, then you can use Google scholar for your advanced searching. Another place that you can look is a free law project known as recap. Recap is just PACER spelled backwards. It is part of the free access to law movement. It was started in 2010 as a free law to and a nonprofit to make the legal world more fair and efficient. And their mission is to provide free public and permanent access to primary legal materials on the Internet for educational, charitable, and scientific purposes for the benefit of the general public and the public interest. These cases are compiled by court listener which has a vast searchable collection of legal information. It has millions of judicial opinions. 8,000,200 27,333 opinions and counting. And it includes a detailed collection of Supreme Court opinion as well as tens of millions of PACER docket entries are found in the recap archive. This

isn't an endorsement. This is just a place where documents that are in PACER can be found. They also have the largest collection of oral argument recordings that are available on the Internet and says 2009, users of ReCAP extension have contributed millions of documents from PACER to the archive. The collections are driven primarily by users purchasing and uploading these documents. They also receive some funding from other institutions. ReCAP you this special case tracers which monitor PACER for judicial opinions. And as we mentioned, when the clerks from the court upload documents to PACER, they consider whether or not those documents are official opinions or orders of the court. If they are designated as written opinions and marked as such, these documents become free to download from PACER. Each ReCAP will download those compiled documents that clerks have marked as written opinions from bankruptcy courts across the country and upload them into the archives to make them available. They also track the PACER RSS feed. Most of the federal district appellate and bankruptcy courts provide RSS feeds with docket entries. The recap speeds on an ongoing basis to make the latest docket entry. This amounts to around around 100,000 docket entries per day that they add to the archive. Unfortunately, this does only add docket entries. It does not add actual documents or any party or attorney information. I did test that recap just before we got into this presentation, in a look at a case that I did research on when I first started working for the court. Roughly a decade ago. It does have the positions to the Supreme Court. 2016 and the docket entries at a good portion of the docket is added to PACER from the original 2011 case. Those are viewable. However, the documents themselves would need to be purchased from PACER and they do have a link where you can go back in and purchase the documents from PACER. Moving on to some fun facts about CM/ECF. So, CM/ECF currently contains an aggregate over 1 billion retrievable documents spread among the 13 courts of appeal. 94 District Court on 90 bankruptcy court, and other specialized tribunals. Now, just looking at the continuum on the graphic, at one end of the spectrum, the most active courts have over 400,000 document entries per year. While entries for other courts average less than 5000 documents. Just bearing in mind though that less than 1% of the documents in CM/ECF are published as the freely available opinion. And the total number of judicial PDF documents stored on CM/ECF computers constitutes approximately 50% of the total number of PDF documents that can be googled. Throughout the world. So, just bear in mind. This is a very very large system and most of the PDF documents that people are searching for are contained within court systems. So, let's turn to a little bit of statistics about the U.S. public library. And my parents are on the front lines of connecting people with their essential government resources. Nearly 92 percent of libraries provide as needed assistance to their patrons for understanding how to access and use the government website. In the last survey, pre-2016 when they stopped keeping statistics, library outlets indicated that a vast majority of their as needed assistance to patrons was for understanding how to access and use government website and those programs and services accounted for 74% of the query. Next it was staff providing assistance to patrons applying for or accessing the government services. That was 59.9%. Providing assistance to immigrant populations was 28.6%. Of all request. Documents relating to the government and the court order statutes or to government agencies or the third most requested behind K 12 reference requests. Just another point, while the act speaks to each court individually, even if every Circuit Court were in full compliance with a fully searchable site, anyone researching would still have to contend with over almost 200 separately searchable sites with each court employing a distinct format and their own modes of designating presidential or nonpresidential opinions as well as a wide variety of different interfaces. That does make fixing accessing the information difficult. Librarians like Anna and I are available to you if you have questions about where to search for or access information. It has been a lot.

I will let Nicole take a breath and drink some water thanks to everybody for their good chat questions. I thought maybe if we start at the bottom of the questions and then go up to information we shared earlier at that point would be helpful. Let me go to my last light. So, please, if you have other questions,

go ahead and put them in chat. I will thank Laura Baker for responding to the questions about recap because that is correct. ReCAP does have house documents from PACER that were already paid for. Here's a question about, are the documents in ReCAP citable? Nicole, you made the point that PACER isn't really a system that you can cite to. Do you want to say a little bit more?

Right. The way that the courts put out their opinions, they're only listed by a docket number. And a docket number is not an official way that you can cite to a case. Stick courts usually have manuals of style. The federal government uses the bluebook for citation format. If you have a docket number occasionally, if you try to Google it, it would give you the official federal warrants. In order to cite a case, it does need to have a federal citation or a law number. The course to have specific rules about whether or not you can cite to something that is published or not. And when we say published, published means that is included in an official audit and designated as residential. If there are any of opinions that are released that are not published even though they are. They will be designated as residential or not and dependent on the local court rules they can cite them but you will be an official reporter citation in order to use them.

Okay. And then there were a couple questions about getting access to court pleadings, court briefs, and I just want to touch on that part again. The only thing that the public can count on getting free access to are the final orders. The written opinions. The appellate opinions, the district court orders, the magistrate R&Rs, the bankruptcy determinations, those are what you can get freely available behind the scenes litigation, pleadings, the briefings, the discovery, the exhibits, those documents are what parties paid for. They might be sealed. They might have privacy concerns. There is a variety of different parts about the pleadings that are not going to be freely available. Nicole, do you want to add to that?

Yeah. If you have a patron account and you're looking at some of the pleadings, if the patron that is speaking to you is a party to the case, and you are looking at a court or you're physically in the court, the views are different. Even for me as a Third Circuit employee, if I want to look at -- I happen to be sitting at the district of New Jersey, but the view that I have of New Jersey is a -- I don't have a full CM/ECF you are the proprietary notes. And some of the field matters that are available to the district. And I have a limited view of even for the court that I work for for the Third Circuit. If you are not a party to the case, you are only seeing what the courts make available to the public. I want to go back also to the citation. Again with citing unpublished opinions. You can format them in a way that if you have enough information to cite to the parties within the case. If there is not official reporter citation, again using whatever the bluebook rule is, for citing an unpublished opinion. As long as you divide enough information, that the case could be found by someone else. The rules for citing cases within a court proceeding would be different than say if you're publishing a scholarly work and then you would need to use either APA or whatever style format that you are using for the case. The question I see about dockets, it was hit or miss and whether or not the dockets -- the document itself linked to court link is hit or miss, and in terms of some of the docket sheet depending on when they were last updated, some people don't realize that you may go in and the view that you have may not be the most current view of the particular case and then the case would need to be up updated through their service and incur the fees for updating a specific document. And again with finding certain cases, some things are easier to find than others. It just depends on what they pulled from PACER, how it is formatted. I have often had to search in a variety of different vendor sources if I am looking for cases that are outside of my own court just to see if I can find docket sheet information. If I'm not in PACER. Federal governments working for the course we don't incur charges for looking in PACER, but when I set up alerts for our law clerks or for chambers, then I will do that through one of our paid services. Because it is easier for me to turn those alerts on and off. I often have to go through several different services just to be sure that I am --

that I have the full docket review. As compared to what I would see if I was doing it directly in PACER . I hope that answers your question.

Now we are kind of into some more specific PACER questions. One is, what type of PACER account should we register for? I would need to double check, but I think there is only one type of public PACER account that you can register for. It should be fairly intuitive. And it's just that when you're in PACER then you choose the court that you want to start looking in. And then as you are pulling materials from PACER is when you can incur fees depending on the type of materials. That leads to a follow-up question that is like okay, when I am looking in the system, I in a District Court. And I have the option of looking at reports or query. I am not -- I have to temper my answer to the question of what is the difference between reports and queries. By saying I am not an expert in the CM/ECF PACER engineering. But my understanding is that reports in query are different in the sense that the query is meant to sort of search across that courts files, and you can do a full search throughout the system. But reports tries to make it quicker or simple or set parameters in order to either incur less fees or set it up in such a way if a litigation has gone on for decades, which a lot do, then you can search ever worked to get only the files from the last 30 days or the last six months. Et cetera so that you're not pulling the entire three decades of files because then that would incur a fee. Hopefully that answers that question.

I see this surprise bills to incur charges without realizing it. Before you incur any charges, a screen does pop up that will tell you how much it is going to cost you. It shows you the per page cost and with the maximum cost is. The only thing I can think of is if someone was just ignoring the cost. And accepting them anyway. That is the only thing I could think of.

Right. Let's see. I'm going to see if there are any other questions that came in. A question earlier in the presentation was, is there a link comparing what is in PACER to what is in other legal services? I am unaware of such a thing. I would just add, because there is a couple questions in here, I want to really highlight that PACER is the source. For the case management electronic records of the court are the source. They are not like an add-on. They are where the sausage is made. And there really gigantic. I just want to highlight that. And I think this probably made clear leader, but PACER is only for federal materials. Let's see.

Are you asking is the PACER section is related to that? Are you just wanting to put a hyperlink directly into PACER?

You can hyperlink directly to that court area of govinfo.

You are going to find Supreme Court cases. Does work it with the case I believe. As I mentioned, their source for the case law material is going to be the opinions that come from PACER. -- Poll all the opinions and any trial court documents that they have for the federal government to come from PACER. They are pulling the documents that they paid for and selling it back to their patrons with their subscriptions. I can, PACER is going to have more comprehensive collections of what originated from the court. And then the page vendors makes those items selectively available depending on your subscription. If it is not found in PACER again, that would be things that are in the earlier 2000 than before. Those are still physically housed within the national archives. I do know the Ninth Circuit has a very large paper files in the basement of their library in San Francisco. But not all courts keep paper records. I know they are there because I have seen them. I have never seen so many papers. Here in New Jersey. They had digitized most of their files and ship them off to national archives. I merely they are encouraging everybody to have their new case filings be born digital. They are just uploads and not

accepting as many. The local court rules not really having paper files. Although some of the appellate cases that have been going on for a while are still extensive boxes of paper records.

There is a question towards the end about doing a request with the court for transcripts. I think I would offer a response to that. I am thinking of transcripts like I am thinking of meetings and briefings. And the first question is, is it pre-pacer or pre-digital? Those types of court filings would be with the national archives in the federal record centers post PACER post 2006 would need to pay a fee. Is there something else, Nicole, that you were thinking of?

No. It is not really a FIOA request. If you want a transcript, you can contact the clerk's office. If there actually is a transcript that has been created, it's the fee for the creation of the transcript. That is separate from PACER. Transcripts may or may not be made available in PACER depending on whether or not the parties have paid for the transcript to be official part of the record.

That is a good reminder. Parties do pay for the litigation materials depending on what type of materials they are so that is something to keep in mind for researchers when they're looking for items that the parties have to create. With that, Nicole and I want to thank GPO. We want to thank Ashley and Lisa for setting up this opportunity for us to share how to access court records and documents. Let us thank you all for your time.

Thank you so much, Anna and Nicole. This was awesome. I learned so much. So much to dig into. I also want to make sure for those of you who attended, thank you. We will be putting an evaluation survey out to you. Please give us feedback on the webinar that helps us plan for future webinars. Actually just put the link in the chat. Please take some time and fill it out. Again, thank you so much Anna and Nicole for presenting for us today. Thank you to our attendees.

Thank you.

In queue. Thank you.

Have a great day everybody.
