

Electronic Public Access User Group Conference Call

October 26, 2020

Electronic Public Access (EPA) Public User Group Members Present:

Christopher Allman	Assistant U.S. Attorney, Kansas, Department of Justice
Adam Angione	Midwest and Northeast Bureau Chief, Courthouse News Service
JoAnn DiSanti	Associate Director of Managing Clerks, White & Case LLP
Nicholas Goldrosen	Student, Institute of Criminology – University of Cambridge
Todd Higey	Representative, National Association of Professional Background Screeners
Seamus Hughes	Deputy Director, Program on Extremism, George Washington University
Margo Kirchner	General Counsel and Development Director, Wisconsin Justice Initiative
Tyler Mills	Team Lead, Bloomberg Law
Robert Patrick	Reporter, St. Louis Post-Dispatch
Theresa Reiss	Law Librarian, Congressional Research Service, Library of Congress
Gabriella Sarnoff	Assistant Managing Attorney, Debevoise & Plimpton LLP

Administrative Office of the United States Courts (AO)

Aicha Campbell	Program Analyst, National Programs Branch, Court Services Office
Angela Jaffee	Branch Chief, National Programs Branch, Court Services Office
Beth Grabo	Manager, Web Communications & New Media, Office of Public Affairs
Emily Poland	Public Affairs Specialist, Office of Public Affairs, Office of Public Affairs
James Cartwright	Branch Chief, PACER Development Branch
Jane MacCracken	Group Chair and Division Chief, Programs Division, Court Services Office
Jason Edwards	Chief, Court Services Office
Joann Swanson	Chief, Enterprise Operations Center
Jole Awtrey	Branch Chief, Case Management Branch, Court Services Office
Julie Neville	Attorney Advisor, National Programs Branch, Court Services Office
Linda Melchor	Program Analyst, National Programs Branch, Court Services Office
Michelle Gardner	Attorney Advisor, National Programs Branch, Court Services Office

Conference Call Summary

Welcome from Jason Edwards, Chief, Court Services Office, and Jane MacCracken, Chief, Programs Division, Court Services Office and Public User Group Chair.

Status of Public User Group Recommendations

The AO continues to analyze, and where feasible, pursue the Group's recommendations. In order to be feasible, recommendations must be achievable technically, legally and subject to funding availability.

The AO provided the following update on the status of the Group’s original recommendations.¹

Recommendations in Progress

1. A new page will be added to the recently revised PACER website that will be dedicated to unrepresented litigants and indigent users. This page will provide information in plain language describing how to access PACER and request PACER fee exemptions from courts. It is expected that this page will be published in the coming weeks. The Department of Justice’s Office of Legal Policy also supported this effort and provided feedback.
2. The PACER Case Locator enhancements (effective November 15, 2020) include two new features that the Group requested:
 - a. The Update to Court Information page now includes the date range of the case information available in a court’s CM/ECF system. Users can find this information under a new column labeled “coverage date.”
 - b. Users have expanded search capability to use one character in combination with a wildcard character in the case title and party name fields. Users will be required to limit such a search to a span of 30 days or less.²
3. The Group recommended that PDFs be more easily viewable on mobile devices. This functionality will be fixed in the next release of NextGen District CM/ECF, tentatively scheduled for Fall 2021.
4. The Group’s recommendation that courts fully and consistently implement RSS feeds has been addressed. The AO sent a survey to all federal courts in order to identify and resolve implementation issues and encourage courts to activate RSS. The program office will continue to work with courts in expanding the use of RSS.
5. The Group’s recommendation regarding best practices for unsealing of search warrants will be addressed primarily through a communications effort. The AO created a Search Warrant Expert Panel to help establish best practices for courts to use for sealed court filings. The expert panel will review clerk’s office processes pertaining to search warrants to determine whether improvements in transparency could be made without compromising the safety and privacy of litigants and witnesses. The first phase of the review will examine the handling of filings before they are unsealed. The second phase will examine how clerk’s offices make unsealed search warrants available to the public. The expert panel will solicit input from the Public User Group during phase two of the review.

¹ The EPA Public User Group’s recommendations can be found on pages 5 through 7 of the [February 27-28, 2020 Meeting Summary](#).

² This is one of the recommendations listed under Improve Existing Search Capabilities and only adds the functionality to PACER Case Locator and not to the CM/ECF applications.

6. The AO will soon begin a technical analysis of the Group's recommendation that users be given the capability to download or view all or selected documents in a case. While users can turn on the functionality to select multiple documents while viewing the Docket Report, this is not available for other reports (such as the Document/History report in District and Bankruptcy CM/ECF). Users are not currently able to view/download all documents with a click of a button. The AO will determine the level of effort for development and a timeline for implementation of these features across all three court type applications.

Recommendations Pending Further Analysis

1. The Committee on Court Administration and Case Management (CACM) considered two of the Group's recommendations:
 - a. Adding "judge name" to PACER as a searchable field; and
 - b. Adding full text/free text search functionality to PACER.

The AO's Electronic Public Access Working Group expressed support for the full text and/or free text search functionality so long as appropriate limitations could ensure the protection of individuals' privacy. A report on the Committee's action on that matter will be forthcoming in March 2021.

2. The Group's remaining recommendations are under evaluation. Those recommendations requiring changes to CM/ECF will require additional time, and will only be made available in the NextGen CM/ECF systems.

Improving Notification of Services

The Group was briefed on improvements to how the AO notifies users of technical issues with PACER or CM/ECF. Notices of system upgrades and outages are being made more visible to users during login or while attempting the affected task(s).

Update on PACER.gov Project

The new PACER website launched on June 28, 2020. Continuing improvements are underway, including simplification of the layout and language on the pricing page. The new website allows the AO to track analytics that will lead to future improvements and help the AO prioritize continuous enhancements.

EPA Services Assessment

The AO has begun its EPA Services Assessment initiative in partnership with Deloitte. A survey tool is being developed for administration early next year that will ask users to evaluate touchpoints, including PACER.gov, PACER Case Locator, public access terminals, and the Multi-court Voice Case Information System (McVCIS), and to recommend improvements. The AO will seek feedback from focus groups, and this Group, in the design of the survey. Going forward,

the AO will move to a more dynamic assessment approach that enables it to obtain public feedback on a more continuous basis.

Open Discussion

The AO announced the upcoming PACER Case Locator API release, and the virtual town hall for high volume users (conducted December 7, 2020). The town hall forum is used to obtain input on the API feature and ensure volunteers in upcoming API beta testing.

Members inquired whether the Public User Group would be sunset. The AO will take steps to make the Public User Group a standing group without a sunset date.

Members discussed improving the drop-down menus on court websites for criminal court case charges. This new recommendation will be evaluated along with the remaining recommendations made by the Group in February.

A member asked whether users could be allowed to see daily docket activity for free without accessing case filings. While this recommendation is not within the scope of the Group's mission, the AO agreed to seek guidance on the suggestion from various offices within the AO and the EPA Working Group.

The AO will convene a meeting in early 2021 to review the status of the Group's recommendations, discuss system updates, and address other matters of concern to the Group.