

United States Bankruptcy Court  
for the Northern District of New York

Re:

PACER Fee Exemption

**ORDER GRANTING EXEMPTION  
FROM PAYMENT OF PACER FEES**

This Court recognizes that the United States Congress has given the Judicial Conference of the United States authority to impose user fees for electronic access to case information;

This Court further recognizes that individual courts have the authority to waive user fees for parties that satisfy certain established criteria in order to facilitate access to the Court's PACER electronic case information;

Upon review of the application to extend the waiver of PACER fees from Michigan State University College of Law Professor Anne Lawton, this court finds good cause to exempt Anne Lawton, Associate Professor of Law, PACER login [REDACTED], from payment of fees associated with her use of the PACER system for the period beginning on April 1, 2010, and ending on March 31, 2011. Professor Lawton is conducting academic research on chapter 11 that requires access to thousands of individual and business chapter 11 cases. The data collected will be used to produce scholarly articles about the plan-confirmation process both before and after the passage of BAPCPA. A fee waiver would promote public access to court information, as publications resulting from access to such information would be available to the public, thereby increasing public knowledge and promoting better understanding of the bankruptcy system and the process of plan confirmation under chapter 11.

It is so ORDERED.

Date: 3/8/2010

  
The Honorable Robert E. Littlefield, Jr., Chief Judge

**RECEIVED & FILED**

MAR 8 2010

OFFICE OF THE BANKRUPTCY CLERK  
ALBANY, NY



RECEIVED

MAR 5 - 2010

OFFICE OF THE BANKRUPTCY JUDGE  
ALBANY, NY

February 27, 2010

ANNE LAWTON  
*Associate Professor of Law*

Honorable Robert E. Littlefield, Jr.  
U.S. Bankruptcy Court for the Northern District of New York  
James T. Foley U.S. Courthouse  
445 Broadway, Suite 330  
Albany, NY 12207

Dear Judge Littlefield:

I am writing to request a one-year extension until March 31, 2011, of a waiver of PACER fees that you granted to me last spring.

I am creating a large dataset of chapter 11 cases – both pre- and post-BAPCPA - in order to examine a number of issues surrounding the plan confirmation process. The 2004 dataset – comprised of 10,163 cases – is finished, and I am currently working on completing the 2007 dataset. When both datasets are complete, I will take a random sample from each year in order to answer a number of questions about the plan confirmation process, as well as the impact, if any, of BAPCPA on that process. I expect to finish the entire project within the next six to nine months, but out of an abundance of caution am asking for a one-year extension of the current waiver.

PACER fees may be waived “to avoid unreasonable burdens and to promote public access to such information.” My request satisfies both criteria. First, the cost of searching on PACER to create the relevant datasets, coupled with the cost of obtaining dockets, plans, and other relevant case orders, is prohibitive. My home academic institution has provided research assistance, but cannot absorb the cost of PACER fees for 94 judicial districts. Second, I plan to publish the results of my research, thereby not only providing public access to the data but also promoting greater understanding of the plan confirmation process.

Therefore, I request an extension of my current waiver of PACER fees for one year, starting on April 1, 2010, and ending on March 31, 2011. (The current waiver ends on March 31, 2010.) I agree not to sell any data that I obtain from PACER or to share such information with any person who might derive a financial benefit from using such data. For your convenience, I am enclosing a proposed order that is similar to one used by some bankruptcy courts for waiver of PACER fees. If the waiver is granted, please notify the PACER service center (address below) to grant an extension of the current waiver of access fees for your district for **account number [REDACTED]**. In addition, please send an electronic copy of the waiver order to [alawton@law.msu.edu](mailto:alawton@law.msu.edu) or return a paper copy in the enclosed envelope.

PACER Service Center  
P.O. Box 780549  
San Antonio, TX 78278  
(800) 676-6856

Thank you for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Lawton".

Anne Lawton