

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In the Matter of:

Administrative Order No. 21-03

The Administration of the
United States Bankruptcy Court
for the Northern District of New York

ORDER WAIVING PACER FEES FOR (i) CHAPTER 7 PANEL TRUSTEES,
(ii) CHAPTER 11 TRUSTEES, (iii) CHAPTER 12 AND 13 STANDING TRUSTEES,
THEIR FILING AGENTS AND STAFF ATTORNEYS

On February 28, 2020, then Chief Judge Margaret Cangilos-Ruiz entered Administrative Order 20-02 that exempted chapter 11 trustees as well as chapter 7 panel trustees and chapter 12 and 13 standing trustees (collectively, “Trustees”) from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts. The court’s impending transition to CM/ECF NextGen on June 7, 2021, and the requirement that the chapter 12 and 13 standing trustees’ non-attorney filing agents (“Filing Agents”) and their staff attorneys (“Staff Attorneys”) obtain their own PACER accounts has prompted the Board of Judges to consider extending the scope of the exemption granted by Administrative Order 20-02.

The Board of Judges concluded that Filing Agents and Staff Attorneys fall within the class of users listed in the Fee Schedule as being eligible for a fee exemption and that Filing Agents and Staff Attorneys, as well as Trustees, require an exemption in order to promote public access to information and avoid unreasonable burdens. Accordingly, it is hereby

ORDERED that Trustees, Filing Agents and Staff Attorneys are exempt from the payment of fees outlined in the Fee Schedule for access via PACER to the electronic case files maintained in this court, to the extent such fees are incurred by the Trustees, Filing Agents, and Staff Attorneys in the performance of his/her official duties; and it is further

ORDERED that the Trustees will provide, at least annually beginning June 2021, a current list of filing agents and staff attorneys, including name, PACER ID, and associated email address, to the Clerk of Court; and it is further

ORDERED that neither Trustees, Filing Agents nor Staff Attorneys shall be exempt from payment of fees incurred in connection with other uses of the PACER system in this court; and it is further


ORDERED that this fee exemption applies: (1) only to the Trustees appointed in this court and their Filing Agents and Staff Attorneys and is valid only for the purposes stated above, and (2) only to the electronic case files of this court that are available through the PACER system; and it is further

ORDERED that neither Trustees, Filing Agents nor Staff Attorneys shall sell for profit any data obtained as a result of receiving this exemption and are prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet-based databases; and it is further

ORDERED that this Administrative Order replaces and supersedes Administrative Order No. 20-02; and it is further

ORDERED that the exemption granted herein may be revoked at the discretion of the court at any time. The Clerk of Court is directed to provide a copy of this Order and list of Trustees, Filing Agents and Staff Attorneys (such list to be updated from time to time) to the PACER Service Center and to William K. Harrington, United States Trustee for Region 2, 5 Post Office Square, Suite 1000, Boston, MA 02109-3934, with copies to the offices of the United States Trustee within this District.

Dated: June 4, 2021
Utica, New York



Diane Davis
Chief United States Bankruptcy Judge