

THE THIRD BRANCH

Newsletter
of the
Federal
Courts



May 2009

Vol. 41, Number 5

TTB > INSIDE THIS EDITION

Courtwide Compliance with E-Government Act Requirements

The federal Judiciary sent its annual report on compliance with the 2002 E-Government Act to Congress this month. The Act requires all appellate, district and bankruptcy courts to establish and maintain a website with information or links to information on court location and contact information for the courthouse; local rules and standing or general orders of the court; access to docket information for each case; access to the substance of all written opinions issued by the court in a text-searchable format; and any other information, including forms, that the court determines useful to the public. For 2009, all federal courts are in compliance with the Act, with court websites satisfying or exceeding the requirements of the Act.

The public's ability to retrieve remotely and view electronic records in the federal courts is provided through the Public Access to Court Electronic Records (PACER) system. Since its inception in 1988, PACER has evolved into an easy-to-use, Internet-based service. Over 360 million requests for information were processed by PACER in 2008.

And the Judiciary continues to improve access to its records. An assessment of the needs of PACER users is under way, which will lead to improvements to and expansion of service. A pilot project is evaluating the expansion of PACER to include access to digital recordings of court proceedings in district and bankruptcy courts.

Following the bankruptcy and district courts, the courts of appeals began to implement CM/ECF in 2006; the Eighth Circuit became the first court of appeals to go live with the case management component of the Case Management/Electronic Case Files (CM/ECF) system in December 2006. As they implement the CM/ECF system, the courts of appeals will make electronic filings available to the public; currently, the 11 courts of appeals that have electronic filings make them accessible to the public.

Nearly every court also uses its website to provide public access beyond the requirements of the Act. The report to Congress notes that courts provide:

- juror access to qualification forms that can be completed on-line and jury service-related information, through the Jury Management System. Eighty courts currently are or will soon implement the E-Juror system on their websites;
- electronic public access to orders issued on judicial misconduct complaints by the Federal, First, Second, Fifth, Seventh, Ninth, and Tenth Circuits;
- access to digital audio recordings of oral arguments in the Federal, First, Fifth, Seventh, and Eighth Circuit Courts of Appeals; and
- information on court history, information needed by members of the bar, job opportunities with the federal government, and links to related government sites.