

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA PA 19106-1797

MICHAEL E. KUNZ
CLERK OF COURT

CLERK'S OFFICE
ROOM 2609
TELEPHONE
(215) 597-7704

February 22, 1995

Mr. Abel Matos
Court Administration Division
Administrative Office of the
United States Courts
One Columbus Circle, NE
Washington, DC 20054

Dear Abel:

Attached hereto are two documents that were sent to Peter F. McCabe, Secretary of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, that may be of interest to you concerning the proposed amendments to Federal Rule of Civil Procedure 5(e) and a recommendation for proposed amendments to Federal Rules of Civil Procedure 5(b) and 77(d).

The Eastern District of Pennsylvania fully supports the proposed amendments to F.R.C.P.5(e). By authorizing these proposed amendments to F.R.C.P.5(e), the Judicial Conference has initiated large-scale changes to streamline the electronic filing program currently in place in this district since 1989 and make it more efficient and less cumbersome.

In light of the recently proposed changes to Rule 5(e), I have recommended in the interest of consistency that Rules 5(b) and 77(d) be amended to allow for service by litigants and notice by the Clerk of Court by facsimile or electronic means.

I strongly recommend serious consideration of the proposed amendments to Federal Rules of Civil Procedure 5(b) and 77(d). Please do not hesitate to contact me if you would like to further discuss this topic.

Very truly yours,



Michael E. Kunz
Clerk of Court

Attachments

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

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CHAMBERS OF
EDWARD N. CAHN
CHIEF JUDGE

February 9, 1995

Peter F. McCabe, Secretary
Committee on Rules of Practice and Procedure of the
Judicial Conference of the United States
Thurgood Marshall Federal Judiciary Bldg.
Washington, DC 20544

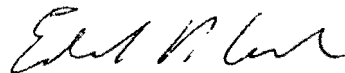
RE: Proposed amendments to F.R.C.P 5(e) and F.R.C.P. 77

Dear Mr. McCabe:

I am writing in support of the correspondence you received from Michael E. Kunz, our Clerk of Court, concerning the above-referenced amendments. Due in large part to the efforts of our judicial officers, the Eastern District is one of the most efficient courts in the federal system, which is especially impressive since we are a large metropolitan court. The foresight of our judges helped the automation programs and technological advances we have implemented become a reality. Innovative programs such as electronic filing, PACER, CHASER, the electronic bulletin board, and electronic sound recording have enabled the Eastern District to become a system-wide model of efficiency. I believe that these programs will be enhanced by the adoption of these proposed amendments.

The change proposed to Rule 5(e) will go a long way to furthering such programs, and the proposed change to Rule 77(d) will create large cost savings for the courts nationwide and improve the administration of justice. Speaking on behalf of myself and the judges of this court, I wholeheartedly support these proposed amendments.

Very truly yours,



Edward N. Cahn
Chief Judge

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**PROPOSED AMENDMENT
TO
FEDERAL RULE OF CIVIL PROCEDURE 5(e)**

**Michael E. Kunz
Clerk of Court**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
INDEPENDENCE MALL WEST
801 MARKET STREET
PHILADELPHIA PA 19106-1797

MICHAEL E. KUNZ
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February 9, 1995

Peter F. McCabe, Secretary
Committee on Rules of Practice and Procedure of the
Judicial Conference of the United States
Thurgood Marshall Federal Judiciary Bldg.
Washington, DC 20544

RE: Proposed amendments to F.R.C.P. 5(e)

Dear Mr. McCabe:

The Eastern District of Pennsylvania adopted an Electronic Filing program in 1989, and as a Clerk of Court who is responsible for the processing of documents in a large metropolitan court, my experience in the Eastern District has been that the program is an unqualified success. By authorizing these proposed amendments to F.R.C.P. 5(e), the Judicial Conference has initiated large-scale changes to streamline the program and make it more efficient and less cumbersome.

There are a number of compelling reasons for the implementation of the concept of electronic access in the federal courts. Electronic filing enables the Clerk of Court to make data available electronically, locally and in distant locations, 24 hours a day, seven days a week to the bench, the bar, government agencies, and the public. Electronic filing allows attorneys to file case documents electronically, rather than physically delivering them. To satisfy the requirement of F.R.C.P. 11 that all documents filed as of record be signed, we have required attorneys to submit signature documents which may be referred to any electronic filing. In addition, a signature document authorization statement must be received with each filing. As you can imagine, this results in a great amount of unnecessary paperwork, which will no longer be required if the proposed amendment to Rule 5(e) goes into effect.

Since its inception in 1989 approximately 3,000 documents were filed through the Electronic Filing System. During calendar year 1993, 715 documents were filed electronically; during calendar year 1994, the number dipped to 451 documents. By amending Rule 5(e), the judges of this court hope the changes to the rule will result in costs and time savings, improve judicial efficiency, and streamline the administration of justice.

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF PENNSYLVANIA**

**REPORT OF AUTOMATED SYSTEMS
AND
TECHNOLOGICAL SERVICES**

**MICHAEL E. KUNZ
CLERK OF COURT**

December 1994

F O R E W O R D

This report describes the automated systems and technological services, as well as related staff training, available in the Office of the Clerk of Court of the United States District and Bankruptcy Courts for the Eastern District of Pennsylvania. The automated systems and technological services are intended to provide the Court, the bar, litigants, and the public with convenient and inexpensive access to court records. Ongoing staff training in automation, docketing, and word processing ensures efficient and effective service for the legal community and the public when they come before this Court.

A C K N O W L E D G M E N T S

The successful implementation of the systems, services, and training described in this report is the result of outstanding support of the judges of the United States District Court for the Eastern District of Pennsylvania and substantial contributions by the Administrative Office of the United States Courts, the Federal Judicial Center, the United States District Court Training Center at San Antonio, Texas, and the Clerk of Court's Automation Support Staff and Case Processing Staff—Marlene McHugh Anderson, Susan Matlack, Linda Washington, Rita Dougherty, Janet Fanelli, Natalie Scornaienchi, Mark Boraske, Charlie O'Donnell, Mary Grace O'Connor, Thomas Clewley, Daniel DeCerchio, Daniel DeLuca, Mary Chase, and all of the docketing clerks.

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INTRODUCTION

The United States District Court for the Eastern District of Pennsylvania has implemented 16 of the 21 major, nationally supported automation systems in the country, and is currently serving as a pilot court for three major projects. Table 1, below, details the major nationally supported automation systems and selected projects that have been implemented in the Eastern District of Pennsylvania as of December 1994.

TABLE 1 Major Nationally Supported Automation Systems and Selected Projects in the United States District Court, Eastern District of Pennsylvania, as of December 1994

Major Nationally Supported Automation Systems and Selected Projects in Progress	In the Eastern District of Pennsylvania...		
	Implemented	Not Applicable	Unavailable
<i>Automation Systems</i>			
1 Attorney Admissions	✓		
2 Automated Travel Voucher System			✓
3 Bankruptcy Automated Noticing System			✓
4 Case Assignment System	✓		
5 CHASER (UNIX)	✓		
6 Criminal Justice Act System	✓		
7 Court Financial System - I (CFS-I)	✓		
8 Data Communication Network (DCN)			✓
9 Electronic Dissemination of Opinions Systems (EDOS)	✓		
10 ICMS Appellate Information Management System (AIMS)		✓	
11 ICMS Bankruptcy Court Automation Project (BANCAP)	✓		
12 ICMS CIVIL	✓		
13 ICMS CRIMINAL	✓		
14 National Interim Bankruptcy System (NIBS)		✓	

(table continues on next page)

(table continued from page 1)

15 Naturalization System	✓		
16 Personnel System	✓		
17 Probation and Pretrial Services Automated Case Tracking System (PACTS)	✓		
18 Property Inventory System	✓		
19 Public Access to Court Electronic Records (PACER)	✓		
20 Records Management System (RMS)	✓		
21 Voice Case Information System (VCIS)	✓		
Major Projects in Progress			
22 Bankruptcy Noticing Center			✓
23 Budget and Accounting System for the Courts (BASC)			✓
24 Calendaring System			✓
25 CHASER (DOS)			✓
26 Civil Justice Reform Act (CJRA)	✓ (Pilot Court)		
27 Facilities Automation for the Courts (FACTS)			✓
28 Fines Center	✓ (Pilot Court)		
29 Judgment and Commitment System	✓ (Pilot Court)		
30 Jury Modernization			✓

AUTOMATED SYSTEMS AND TECHNOLOGICAL SERVICES

Videotaping Pilot Program

The Eastern District of Pennsylvania was selected to participate in a two-year pilot program, which began in January 1991, on the use of videotaping as a means to record official court proceedings. Videotape equipment, consisting of eight voice-activated and fully automatic cameras, has been installed in the two courtrooms on the eleventh floor of the U.S. District Court building at 601 Market Street. The use of videotape reduces costs while ensuring the accuracy of the court record. Videotape also allows the court and counsel to review any day's testimony at a minimal cost and without the ordinary transcript delay.

From January 1, 1991, through October 31, 1993, 171 cases were videotaped as part of the Videotaping Pilot Program in the United States District Court for the Eastern District of Pennsylvania. A total of 1,052 videotapes was prepared —608 were prepared for the Court of Appeals, and 444 videotapes were sold to members of the bar, the public, and the media for information purposes. The total number of pages produced was 30,290.

Broadcasting in the Courtroom

At its September 1990 meeting, the Judicial Conference of the United States Courts approved the recommendation of the Ad Hoc Committee on Cameras in the Courtroom (the Peckham Committee), thereby authorizing a pilot program that permits photographing, recording, and broadcasting of federal civil court proceedings. The Eastern District of Pennsylvania was selected as a participant in the pilot program, which began in July 1991 and was scheduled to run for two years on an experimental basis.

Of the 117 broadcasting requests from the media since July 1991 (when participation in the pilot program began), 86 requests were approved, 16 were disapproved, and 15 cases were settled. Most of the requests were for civil rights cases, as shown in the following table:

Number and percent of media requests to broadcast federal civil court proceedings, by type of case, Eastern District of Pennsylvania, July 1991 through December 1994

Nature of Request	Number of Requests	Percent of All Requests
Forfeiture/Penalty	1	1%
Prisoner Petitions	8	7%
Labor	4	3%
Contract	9	8%
Other Statutes (antitrust, environmental matters)	13	11%
Torts	21	18%
Civil Rights	57	49%
Bankruptcy	3	2%
Property Rights	1	1%

Of the civil rights requests made, 74 percent were approved and 12 percent were disapproved. Although statistics show that only 16 percent of the total requests were disapproved, we should concentrate more in-depth on the reasons for disapproving a request. Some of the reasons for disapproving a request to tape a federal civil court proceeding are (1) an untimely requests (applications must be made with three days); (2) exclusion of *Habeas Corpus* cases by the Judicial Conference of the United States; (3) in the interest of justice, to protect the rights of the parties, witnesses, and the dignity of the Court, and to ensure the orderly conduct of the proceedings; (4) the courtroom is already equipped with video cameras and the copy of the tape of the proceedings can be obtained from the Clerk of Court; (5) minor's interests are at stake; (6) objection by counsel.

When all these factors are taken into consideration, it is abundantly clear that the implementation of this pilot program has been an overwhelming success in the Eastern District of Pennsylvania. The Federal Judicial Center has prepared an evaluation of the program in the eight pilot courts that recognizes "there was a very active media

coordinator in the Eastern District of Pennsylvania, which had the greatest volume of application and coverage activity." The Center's evaluation concluded that overall, the attitudes of judges toward coverage were initially neutral and became more favorable after experience with electronic media coverage. An additional finding through the evaluation was that judges and attorneys who had experience with electronic media coverage generally reported observing little or no effect of camera presence on participants in the proceedings, courtroom decorum, or the administration of justice.

At the September 20, 1994 session of the Judicial Conference of the United States, the Conference declined to authorize the photographing, recording, and broadcasting of civil proceedings in federal trial and appellate courts and the program sunset December 31, 1994.

Judicial Staff Automation

For the past several years, the Eastern District of Pennsylvania has attempted to bring the court into the age of automation. Thanks in large part to appropriations from Congress that are specified for automation uses, the EDPA has provided all judicial officers and their staffs with personal computers. These personal computers are equipped with WordPerfect, a word processing program; Lexis and Westlaw, for legal research; electronic mail ("E"-mail), for the rapid transfer of data; and an electronic interface to CIVIL/CRIMINAL, the automated civil and criminal docketing system used by the Office of the Clerk of Court. Any new releases or upgrades will be provided to our court. The response to these technological innovations has been favorable.

Starting December 1994, the Data Communications Network (DCN) will be installed in the Eastern District of Pennsylvania and this will provide electronic mail capabilities for this district with the entire nation.

Automated Statistical Reporting of Trial and Other Court Activity

During November 1994 an automated system of reporting district court judicial trial and other court activity to the Administrative Office of the United States Courts was

implemented. A total of 45 courtroom deputy clerks were trained on the system and for the November 1994 reporting period the trial activity information was transmitted electronically to the Administrative Office.

Automated CIVIL/CRIMINAL Docketing System

CIVIL/CRIMINAL is an electronic civil and criminal docketing and case management system that replaces the manual paper system. The CIVIL/CRIMINAL automated docketing system utilizes one UNISYS 6000 computer and one DELL 486 computer, and can support 200 users. CIVIL/CRIMINAL:

- automates maintenance of the civil and criminal docket sheets;
- provides case status, document history, deadline tracking, and Speedy Trial Act tracking;
- serves as a central, up-to-date information resource throughout the Court;
- automates the production of notices and other standard correspondence;
- automates the case and party indexes, and the case opening and closing reports;
- generates reports to assist judges and court administrators in monitoring case activity;
- enables this court to customize reports to address our special needs as they arise.

On July 1, 1990, the Clerk's Office of the Eastern District of Pennsylvania implemented use of the CIVIL/CRIMINAL system. All civil cases filed after July 1, 1990, and any active civil cases filed before July 1, 1990, are contained in the CIVIL/CRIMINAL data base. Effective July 1, 1992, all criminal cases were added to the data base. The system is available to all judicial officers in this district through personal computers installed in chambers and can be assessed by the public through terminals in the Clerk's Office.

All deputy clerks have been trained on the CIVIL/CRIMINAL system and are able to enter information and retrieve dockets to maintain an effective, efficient system of case management. Other deputy clerks, such as law clerks, are able to access docket information to effectively manage the Court's cases.

Implementation of the CIVIL/CRIMINAL system has increased the security of our dockets. All entries into the CIVIL/CRIMINAL system are backed up daily, weekly, and monthly onto magnetic tapes. The monthly back-ups contain all information entered into the system and are located off-site for three years before they are forwarded to the Federal Records Center. The back-up system allows our court to have two copies of all docket information, so if security is breached, information can be retrieved from the magnetic tapes stored in the off-site facility.

We have also developed an attorney roll as a separate data base on the CIVIL/CRIMINAL system. It can generate mailing labels for all attorneys involved in civil litigation and criminal cases in this district, and it has enhanced our court's communication with the attorneys in the Eastern District of Pennsylvania.

CIVIL/CRIMINAL has proved to be an effective and efficient computerized docketing system, and docket clerks as well as members of the public have found it easy to use. Our courtroom deputies have also responded favorably to the CIVIL/CRIMINAL system. With the old manual system, they had to physically retrieve dockets from the Clerk's Office on the second floor of the courthouse, but with CIVIL/CRIMINAL they can retrieve dockets without leaving their offices, which saves them much time. Furthermore, the law clerks and courtroom deputy clerks are no longer required to maintain an updated docket sheet in their offices.

The CIVIL/CRIMINAL system has enabled our courtroom deputy clerks to spend considerably less time and effort than they have in the past maintaining routine clerical records associated with case management. CIVIL/CRIMINAL can generate reports that our courtroom deputies once had to complete by hand, and it compiles various reports that provide our judges and other court personnel with invaluable information. The CIVIL/CRIMINAL system generates statistical data and reports requested by the Administrative Office in far less time than previously, when those statistics were compiled by hand.

Our courtroom deputy clerks and our case processing clerks have reported that their work is more rewarding and that they are able to accomplish more in less time with the automated system. The system performs several routine clerical tasks that enable our

staff to channel their efforts into more productive work assignments. Finally, the public can use the system with a minimum of training, which increases productivity because dockets no longer have to be pulled manually.

CHASER—Chambers Access to Selected Electronic Records

The CHASER system operates like PACER and provides access by this court's chambers into the court data base via modem. This feature was added to the main menu of the chambers' personal computer network in December 1992. The in-house court user can access court records by searching data by a case name or a case number. In addition to printing docket reports, the CHASER system can provide the chambers user with case management data, such as reports of pending cases, pending motions, and pending schedules.

PACER-Public Access to Court Records

The PACER system improves access to court records for attorneys and the public. Information contained in the court's data base can be accessed via modem; a total of twelve modems are available to the public for access to the court's records. The user dials in from a remote terminal to the court's computer and can access a search of information through either a case name or a case number, and can request docket reports. The information is either saved on the user's PC terminal or it is printed out as a report during on-line access. This system was implemented for civil records in August 1991, for bankruptcy records in March 1992, and for criminal records in December 1992. The civil/criminal PACER system receives approximately 450 calls per week and the bankruptcy PACER system receives approximately 1,000 calls per week.

In accordance with the Judiciary Appropriations Act of 1991 (Pub L. 101-515, Title IV, § 404, November 5, 1990), the Eastern District of Pennsylvania assessed a fee of \$1.00 per minute of PACER access, effective October 1993. This district implemented local billing procedures which have been very successful and have produced in excess of

\$265,035 as of November 1994 for the Judiciary Automation Fund. Listed below is a chart showing the total usage in minutes for the civil and bankruptcy PACER systems from October 1, 1993 through December 31, 1994.

Total PACER Usage In Minutes			
	CIVIL PACER	BANKRUPTCY PACER	Total PACER Usage
October 1993	10,200	7,018	17,218
November	9,367	7,735	17,102
December	8,113	14,503	22,616
January 1994	8,573	13,862	22,435
February	9,102	11,164	20,266
March	11,022	12,215	23,237
April	8,741	12,499	21,240
May	8,888	11,274	20,162
June	10,432	13,009	23,441
July	9,819	12,042	21,861
August	10,451	14,211	24,662
September	9,474	12,358	21,832
October	9,389	15,919	25,308
November	10,124	16,418	26,542
December	8,814	15,258	24,072
TOTALS	142,509	189,485	331,994

Electronic Bulletin Board Of Judicial Opinions

An electronic bulletin board that allows any member of the bar or public to transmit judicial opinions to their personal computers has been installed and operational since May 7, 1992. The users have access 24 hours a day, and can download the judicial opinions in WordPerfect 5.1 format to their office computers and print the opinions in their own office. The bulletin board system receives approximately 150 calls per week.

Electronic Submission of Documents

All civil documents—including Complaints, Notices of Removal, and Notices of Appeal—can be filed electronically in the Eastern District of Pennsylvania. The legal agency or law firm utilizing electronic filing must first submit an application to the Clerk's Office explaining the equipment specifications needed for electronic transmission. With the Electronic Filing System, an attorney can retrieve any electronically filed document and download it to his or her personal computer.

Electronic Sound Recording (ESR)

Electronic sound recording has experienced dramatic and rapid growth since the Judicial Conference sanctioned its use in the Federal courts, owing to its efficiency and cost-effectiveness. In the Eastern District of Pennsylvania, the electronic sound recording program has had a substantial impact on court reporting costs. The combined court reporting program of official court reporters and ESR operators enables the EDPA to meet the needs of all judicial officers at one time (including senior judges, magistrate judges, and bankruptcy judges), precluding the need to contract with court reporters.

An ESR Supervisor assigns court recorder operators on an "as needed" basis, processes all orders for transcripts and tapes, and acts as a liaison between the transcription firms and the Court. In addition to operating the equipment, the ESR operators perform such functions as administering oaths to jurors, swearing in witnesses,

taking exhibits, and calling the calendar, as well as producing a verbatim record of all court proceedings.

ESR Operators receive extensive training and must have a broad understanding of Clerk's Office policies and court proceedings. Aside from learning how to operate the equipment, they receive substantive training in courtroom procedures for civil, criminal, and bankruptcy proceedings; case processing and paperflow management; and the local and federal rules of court. ESR operators are schooled in "courtroom protocol," as well—an important aspect of training required by the judicial officers in this district.

ESR equipment has proved effective in a variety of proceedings in this district, ranging from jury and nonjury trials to hearings, *voir dire*, chambers' conferences, and side-bar courtroom conferences. One particularly effective use of ESR is the recording of pleas and sentences in criminal cases, since 28 U.S.C. §753 specified that the court reporter must file either a transcript or tape in these proceedings. Several extensive high-volume cases, including some that required daily copy, also have been produced exclusively by ESR.

There has been a noticeable improvement in the delivery of transcripts since the ESR program was initiated. We believe that when a staff of official court reporters is augmented with the use of electronic sound recording operators, the court reporters have more quality time to devote to the production of timely and accurate transcripts both for the District Court and the U.S. Court of Appeals.

During January 1992, four personal computers were installed in courtrooms in order to automate the electronic sound recording log. With a software package called VISTA, the electronic sound recorders produce automated logs of court proceedings, as well as automated listings of witnesses and exhibits. The VISTA system has increased the accuracy of the transcripts and the speed of requested playbacks in court. This system was installed in all courtrooms during December 1992.

Reduced Transcript System (TINYTRAN)

Effective February 1, 1993, all transcripts prepared by Electronic Sound Recording Transcribers are required to be accompanied by a floppy disk. This enables the Clerk's Office, with the use of the TINYTRAN software, to provide the Court with reduced transcripts by printing eight pages of a transcript on one page.

BANCAP—Bankruptcy Court Automation Project

The Bankruptcy Court for the Eastern District of Pennsylvania has been using a computer system called BANCAP since May 1988. BANCAP has the capacity to:

- automate the production of the docket, notices, orders, case and party indexes;
- enable the court to docket to a case and its related cases simultaneously;
- provide case status, document, and deadline tracking;
- access case information for use by the court, the litigants, and the public;
- enable the court to develop customized reports to address local needs; and
- accommodate each court's local rules and procedures.

BANCAP captures the list of creditors (matrix) with an Optical Character Reader (OCR). The OCR reads typewritten lists, which are prepared in a prescribed format, using only Courier 10, Prestige Elite, and Letter Gothic typefaces. Lists should be typed on a single page in a single column, with each name/address consisting of no more than five lines. The OCR will not read lists that deviate from the prescribed format. Counsel are required to include their complete address, telephone number, and State Bar identification number on all filings.

VCIS—Voice Case Information System

The Voice Case Information System is a service provided by the Federal Courts that allows anyone to access the most current information about any bankruptcy case

from a touch-tone telephone. To hear the most current information on a case, the user dials 597-2244, then enters the name of a participant in the case of inquiry, and hits the # button. The VCIS system receives approximately 1,100 calls per week.

CAPSCAN (Court Automation Project - Scanning)

During 1993 CAPSCAN was implemented in the Bankruptcy Court Clerk's Office and this provided the capability to use bar coding technology to assist in case processing. Initially, bar codes were designed to assist in the closing of cases and in September 1994 was expanded to include standard docketing entries.

In the near future, the program will be expanded to allow attorneys to place bar coding information on their pleadings. The bar coding software is compatible with any word processing program and enables the docket clerk to scan the attorney's bar identification number, linking the attorney's name and address and automatically entering them into the BANCAP system.

JARA—Jury Assembly Room Automation

In May of 1991, this district installed the Jury Assembly Room Automation (JARA) system, which completely automated the management of juries. With the JARA system the jury assembly room personnel can provide an automated random selection process for the judges requesting panels for civil and criminal cases. The JARA system also automates the record of jurors in attendance, the creation of panel sheets, a mailing list, and the random selection of jurors.

Credit Card Collection Network

In September of 1987, the Department of the Treasury established a government credit card collection network to enable federal agencies to accept credit cards (Visa and MasterCard) for the collection of receipts due the government.

Credit cards are accepted as payment for the following transactions in the Clerk's Office:

- filing fees,
- electronic submission filing fees,
- copywork (docket sheets, opinions, etc.),
- PACER access fees,
- copies of ESR-taped proceedings,
- attorney admission fees,
- local rules binders,
- searches and certifications,
- retrieval fees for case files maintained at the Federal Records Center, and
- arbitration fees.

A credit card can also be used to pay for requests for copies via the mail. The credit card number, expiration date, and specified amount to be charged must be provided in the request letter, and the letter must be signed by the same person whose signature appears on the credit card. Once payment has been made, a cash register receipt and a bank charge slip are issued, with the words "MAIL REQUEST" inserted in the signature block.

For safekeeping of the credit card, the Clerk's Office issues numbered identification cards bearing the law firm's credit card number, expiration date, and the signature of one of the firm's partners. These cards are issued after an authorization form is completed. The courier shows the I.D. card to the cashier and the transaction is processed. On the bank charge slip, "AUTHORIZATION ON FILE" appears in the signature block.

Personal Computers

Currently the chambers of each district court judge, magistrate judge, and bankruptcy judge is equipped with a personal computer for each member of the judicial officer's staff. This office supports over 400 personal computers. During the summer of 1991, all chambers were upgraded to PC-386 systems, except one workstation, which remained a PC-286 system. During the summer of 1992, the remaining PC-286 systems were upgraded to PC-486 systems. The PC-286 systems that were removed from each chambers were installed in the courtrooms to automate the electronic sound recording logs.

During the summer of 1992, the Clerk's Office docket clerks were provided with a PC-486 to enable them to access the CIVIL/CRIMINAL docketing system and to provide word processing capabilities to the case processing staff. This allows the docket clerks to automate all standard forms, which had been manually typed, and provides each docket clerk with a printer, so all reports produced by the CIVIL/CRIMINAL system can be retrieved quickly.

During January 1994, 18 personal computers and printers were installed in the Bankruptcy Court Clerk's Office for the docket clerks to access the BANCAP system and for the automation of all manually prepared standard forms. An additional 14 personal computers and printers are scheduled to be installed in the Bankruptcy Court Clerk's Office during January 1995.

Judgment & Commitment System

During August 1992, thirty courtroom deputy clerks received training at the Fine Center in Raleigh, North Carolina, on the Judgment and Commitment System, which was implemented in December 1992. The Judgment and Commitment System enables the automated preparation of the Judgment and Commitment Orders and eventual transfer of the fine amount to the Fine Center for tracking. As of November 30, 1994, a total of

2,059 Judgment and Commitment Orders have been produced through the automated system.

UNISYS Mainframes and Personal Computers

Four UNISYS mainframes and personal computers and one DELL 486 personal computer are installed in our computer room. The following is a list of the equipment and the application residing on the system.

UNISYS 6000/35	CIVIL Non-Asbestos Docketing
UNISYS 6000/35	BANCAP Docketing
UNISYS 5000/90	CFS Financial System
DELL PC-486	CIVIL Asbestos/CRIMINAL Docketing Judgment & Commitment System
UNISYS 6000/35	PACER and CHASER

The CIVIL Non-Asbestos Docketing and BANCAP Docketing applications were recently transferred from UNISYS 5000/95 computers to UNISYS 6000/35 computers. The CIVIL asbestos and CRIMINAL docketing system was transferred to a DELL 486. This transfer has provided additional report processing capabilities and speeded up response time for all users.

Telephone Interpreting Project

The Telephone Interpreting Project, begun in January 1993, provides bidirectional simultaneous interpreting with a telephone call to certified interpreters based in Las Cruces, New Mexico. This project is a cost-effective provider of language support services and eliminates any scheduling delays that might occur when a certified interpreter is not available. Telephone interpreting allows two-language hearings to proceed at virtually the same pace as those conducted only in English. With the equipment installed in a courtroom, the interpreting is conducted through wireless FM receivers tuned to each user's language of choice. The result is a system that makes interpreting close to

transparent, with the participants moving about the courtroom and speaking just as they would if there were no interpreting.

Judicial Schedule of Trials-Automated System Inquiry (JUST-ASK)

During March 1995 the Office of the Clerk of Court will implement a public access system called the Judicial Schedule of Trials-Automated System Inquiry (JUST-ASK). JUST-ASK provides up-to-date information on the status of trials scheduled in the United States District Court and immediately reflects the daily status of listings as the information becomes available to the Clerk of Court. JUST-ASK is offered free of charge, seven days a week and twenty-four hours a day to any individual or office with a pc and modem.

All cases schedule for trial, presently on trial, in the trial pool and special notices from the Court are included on the system. JUST-ASK also provides the capability of viewing or downloading a report on the disposition of cases previously listed on the system. For user convenience, all information contained in this system is available by judge, case number, party name and/or attorney name. The user dials in and chooses the option which is most convenient to view listings, by case, judge, party, attorney or the entire listing. JUST-ASK also allows the user to retrieve a list of each case in which a specified attorney is involved, then the information can be download to the user's computer and printed.

**TRAINING:
AUTOMATION, DOCKETING, AND WORD PROCESSING**

Training continues to play an essential role in the operation of this District Court. An investment in training programs ensures that those who come before this court—the public and the legal community—are served efficiently and effectively. Our goal is to ensure that Court personnel have the skills and perspective to contribute significantly to the administration of justice in the Eastern District of Pennsylvania.

ICMS CIVIL/CRIMINAL

Substantial resources were dedicated to training all Courtroom Deputies in query techniques that provide on-line interaction with the ICMS CIVIL/CRIMINAL systems. This training focused on procedures for accessing speedy trial, service of process, pending deadlines, party, counsel, and all other docket information. As a result, deputies are able to obtain the most current automated information to assist in the management of the Court's case load. Thirty-seven deputies participated in this training.

In addition, an ongoing training program updates all staff members on modifications in the ICMS CIVIL/CRIMINAL system.

The introduction of the ICMS CRIMINAL System created the need to train staff in implementing and maintaining this new data base. Five Case Opening Clerks and one Data Quality Analyst were instructed in case opening procedures, including the use of development worksheets to organize required information. Participants are able to review information and indictments and input information concerning parties, counts, Index Key Codes, AO Offense Code, offense grade and applicable sentencing information.

An extensive ICMS CIVIL/CRIMINAL cross-training program was implemented during January 1994 and to-date twenty-one deputy clerks have undergone the comprehensive training program and are certified civil and criminal docket clerks. The training will be extended to all case processing clerks and was recently extended to all courtroom deputy clerks.

WordPerfect 5.1 Training

WordPerfect 5.1 training is offered to all members of the Office of the Clerk of Court. The training enables all employees to fully utilize word processing in their present job assignments, and clears the way for fully automating administrative and clerical tasks. In keeping with these objectives, individuals are encouraged to examine all available WordPerfect 5.1 techniques and use them whenever possible. Follow-up support and assistance are provided in addition to the training sessions.

Trainees learn the basic aspects of document preparation, including formatting, saving, retrieving, merging, and final copy enhancement. In a course entitled "Introduction to WordPerfect," they receive comprehensive instruction in all the methods they need to create, edit, and print both simple and complex documents, from **word processing basics**—such as learning how to use the keyboard, starting up WordPerfect, using the command function keys, accessing WordPerfect's "HELP" facility, and understanding and controlling the movement of the cursor—to **creating, saving, and retrieving a document** (entering text, editing on the screen, revising/deleting/inserting text, naming the document), **document and text formatting** (how to specify margins, page size/type, line spacing; centering, boldfacing, underlining, indenting, italicizing, setting text flush right or flush left; selecting and sizing fonts), **pagination** (inserting page breaks; using automatic page numbering), and **printing** (how to print an entire document, one page, selected pages, or envelopes). In addition, some of the more **advanced WordPerfect techniques** are taught in this course, including the use of date options, how to view a document on the screen before printing it, how to print envelopes, how to use "spell-check," creating and using directories, creating and printing labels, and merging primary and secondary files.

Individual training sessions enable staff to work at their own pace, an efficient and economical approach because the amount of training time devoted to each individual is based on his or her skill level. Individual training also provides the opportunity for introducing advanced applications to those who have mastered the basics.

Practice exercises are assigned and reviewed prior to a training evaluation. The evaluation measures program progress as well as individual proficiency.

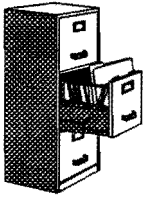
Training began in October 1992, and since that time a total of 134 Docket Clerks, Courtroom Deputies/Electronic Sound Recording Operators, and Deputy Clerks have participated.

Courtroom Deputies and case processing clerks continue to be trained and updated in the use of the Eastern District of Pennsylvania forms program, which expedites case management administration. All manual forms utilized by the bankruptcy court case processing clerks were automated with training and implementation occurring during October 1994.

DIRECTORY OF COURT-AUTOMATEDSERVICES

DISTRICT COURT

Public Access to Court Electronic Records (PACER)



The PACER system allows any member of the bar or the public who has access to a computer and a modem to obtain civil and criminal docket records. The user can obtain the complete electronic history of all cases that are contained on the CIVIL/CRIMINAL docketing system (i.e., all civil cases filed since July 1, 1990, and all pending civil cases, except asbestos and prisoner cases, filed prior to July 1, 1990, and all criminal cases filed since July 1, 1992). In accordance with the Judiciary Appropriations Act of 1991 (Pub.L 101-515, Title IV, § 404, November 5, 1990), the fee for accessing PACER is \$1.00 per minute.

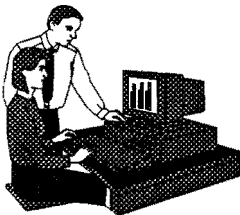
Electronic Bulletin Board of Judicial Opinions for the Eastern District of Pennsylvania

The Electronic Bulletin Board permits any person with a computer and modem to connect to a special public-information computer and obtain current judicial opinions for the Eastern District of Pennsylvania.



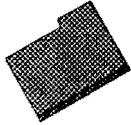
Electronic Submission of Civil Documents

Any law firm or legal agency may submit civil documents in an electronic form instead of in the usual paper-document form. Complaints, Notices of Removal, and Notices of Appeal may be filed electronically with the use of a Visa or MasterCard credit card to the United States District Court for the Eastern District of Pennsylvania. An electronic submission consists of computer-readable information that is transmitted to the court computer, where it is then printed out for submission to the judge.



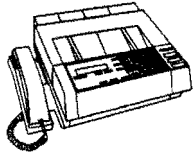
Electronic Access to Civil Documents

The Electronic Access to Civil documents allows any member of the bar who is equipped with a computer and a modem to obtain civil documents that have been electronically filed on the system.



FAX Ordering of Docket/Document Copies and/or Searches

Any member of a law firm, legal agency, or the public can FAX a request to obtain the following: (1) copies of civil dockets; (2) copies of civil documents; (3) name searches performed on civil records.



Credit Card Collection Network

Any law firm, legal agency, or company can arrange to use a Visa or MasterCard when making payment for filing fees and other district-court-related expenses. Credit card payment provides for an alternative to cash/checks that easily accommodates any internal accounting procedure. The network supports in-person, telephone, and mail requests.



Automated Voice Attendant Telephone Answering System



This system provides automated information on district court office hours, address, court costs, and filing procedures.

To use the system, dial **(215) 580-2275**.

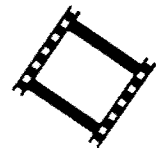
Microfiche Reports

ACCESS MICROFICHE REPORTS IN SEVERAL WAYS:

Index by party or case number – Civil filings from 1961 to the present; Criminal filings from 1964 to the present; Miscellaneous filings from 1969 to the present; Magistrate filings from March 1, 1980, to the present.

Index by judgment – Outstanding judgments from December 31, 1984, to the present; Outstanding/satisfied judgments from January 1, 1985, to the present.

Index by nature of suit – Civil cases from 1961 to the present.



Telephone Access for the Hearing- and/or Speech- Impaired



A hearing and/or speech impaired individual equipped with a Telecommunications Device for the Deaf (TDD) can contact the Office of the Clerk of Court by calling the General Service Administration's (GSA's) Federal Information Relay Service (FIRS) at **1-800-877-8339**.



BANKRUPTCY COURT

Public Access to Court Electronic Records (PACER)



The PACER system allows any member of the bar or the public who has access to a computer and a modem to obtain bankruptcy docket records. The user can obtain the complete electronic history of all cases that are contained on the BANCAP docketing system (i.e., any bankruptcy case filed after May 5, 1988, with activity in the last six months.) In accordance with the Judiciary Appropriations Act of 1991 (Pub.L 101-515, Title IV, § 404, November 5, 1990), the fee for accessing PACER is \$1.00 per minute.



Voice Case Information System (VCIS)

The VCIS system allows the general public to obtain voice BANCAP information from any standard touch-tone telephone.

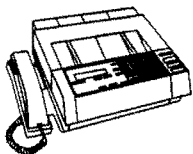
Access VCIS by dialing (215) 597-2244.

Hello, and welcome to VCIS. What information would you like?



FAX Ordering of Docket/Document Copies and/or Searches

Any member of a law firm, legal agency, or the public can FAX a request to obtain the following: (1) copies of bankruptcy dockets; (2) copies of bankruptcy documents; (3) name searches performed on bankruptcy records.



Credit Card Collection Network



Any law firm, legal agency, or company can arrange to use a Visa or MasterCard when making payment for filing fees and other bankruptcy-court -related expenses. Credit card payment provides for an alternative to cash/checks that easily accommodates any internal accounting procedure. The network supports in-person, telephone, and mail requests.



Microfiche Reports

ACCESS MICROFICHE REPORTS IN THE FOLLOWING WAYS:



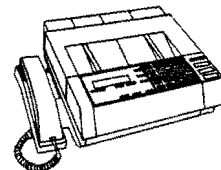
Index by party or case number - Bankruptcy filings from June 15, 1986 to the present.

Index by judgment - Outstanding judgments from December 31, 1984 to the present; Outstanding/satisfied judgments from January 1, 1985 to the present.

FAX Information System (for District & Bankruptcy Courts)

The FAX Information System is a storage system that holds documents for public access information. You can retrieve these documents through your fax machine by following these simple instructions:

1. Call the FAX Information System at (215) 597-0257 from your fax machine's handset.
2. You will hear three beeps.
3. Press START to receive a list of documents that are stored on the FAX Information System. This list will provide you with the document numbers needed to retrieve the public access information. When you decide which document you wish to retrieve, repeat steps 1 and 2, and then enter the two-digit code and press START.



CAPSCAN

(COURT AUTOMATION PROJECT – SCANNING)

CAPSCAN uses modern bar code scanning technology to increase the efficiency, productivity, and accuracy of bankruptcy docketing. Bar code symbols are placed on the file folders, and docket clerks have access to bar code symbols for the majority of docketing entries. Instead of typing the full docket entry, the docket clerk simply scans the bar code associated with the docketing event. In the near future an additional benefit of the bar code technology will be implemented and that is attorneys will be able to place bar coding information on their pleadings, which will assist the court. The bar coding software is compatible with any word processing program, enabling the docket clerk to scan the attorney's bar identification number, linking the attorney's name and address and automatically entering them into the system.

FOR MORE INFORMATION...

Please check the appropriate service(s) listed below and provide the indicated address information:

S E R V I C E S

District Court

- PACER (Civil/Criminal)
- Electronic Bulletin Board of Judicial Opinions
- Electronic Submission of Civil Documents
- Electronic Access to Civil Documents
- FAX Ordering (Civil)
- Credit Card Collection Network
- Automated Telephone Answering System
- Microfiche Reports
- Telephone Access for Hearing/Speech-Impaired

Bankruptcy Court

- PACER (Bankruptcy)
- Voice Case Information System Answering System
- FAX Ordering
- Credit Card Collection Network
- Microfiche Reports

District & Bankruptcy Courts (General)

- FAX Information System
- ALL OF THE ABOVE

A D D R E S S I N F O R M A T I O N

NAME _____

FIRM _____

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

PHONE () _____ **FAX** () _____

Send this completed form to...

MICHAEL E. KUNZ, CLERK OF COURT
United States District & Bankruptcy Courts
2609 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797
FAX: (215) 597-6390

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PUBLIC ACCESS
MISSION/NEEDS STATEMENT

MICHAEL E. KUNZ
Clerk of Court

February 10, 1995

The Judicial Conference has identified public access to court electronic records as a high priority within the United States court system automation program. Public access systems now have the ability to become self supporting and to make further public access advances possible. For these reasons, it is imperative that efforts be made to enhance present systems, introduce new systems and market all systems. Success in these areas will significantly impact the ability of local courts and the Administrative Office, to continue to move forward with the vital automation work that has been started.

The United States District Court for the Eastern District of Pennsylvania is a consolidated court with a distinguished automation record. Revenues generated by the Bankruptcy and Civil/Criminal PACER systems surpass almost every court in the country. A systems staff is in place that is both motivated and talented. The desire to improve and innovate is strong. Finally, I believe that providing outstanding public access, in this time of fiscal crisis, requires that court executives commit the brightest minds along with the best available resources to develop innovative systems, compatible with the needs of the public and the administrative and fiscal landscape.

This Public Access Mission Needs Statement has two major components. First, I propose that all public access applications are offered to the public from a menu driven integrated system. Once the integrated system is in place, I propose that a marketing program be implemented, aimed at increasing public awareness and use of the Integrated PACER System.

INTEGRATED PACER SYSTEM (iPACER)

The Eastern District of Pennsylvania intends to develop an Integrated PACER System (iPACER) which will centralize all public access applications in a network. This system will be integrated in terms of user availability. We plan to provide the public with one telephone number which will allow them to connect to a menu and in essence provide "one-stop-shopping". The menu will contain the following;

- Civil/Criminal PACER
- Bankruptcy PACER
- Bulletin Board of Judicial Opinions
- Local Rules
- JUST ASK - District Court Trial Pool Schedule
- Bankruptcy Court Hearing Schedule
- Electronic Filing System/Access to Electronically Filed Documents

All options will be available to users from one telephone number and one menu. The central file server will route the user through the public access network to the desired application. The use of a "chatter box" will take the place of designated telephone lines for individual systems. In this way, telephone lines used less frequently will be available for those more heavily used systems. Pooling resources in this way will result in increased public accessibility and increased system use. Each application server will be wired to the central server, thereby establishing the first integrated public access system in the Federal Courts.

All applications are operational with the exception of the Bankruptcy Court Hearing Schedule and the Local Rules Application. The Bankruptcy Court Schedule development began is scheduled to begin in March of 1995.

JUST ASK provides up-to-date information concerning the status of matters listed for trial. The schedule of Bankruptcy proceedings is currently being developed. This information is published daily, but because of deadlines is often times a day or two behind. Courtroom deputies will update their own trial pool as events occur. We expect that this application will be of great interest because on line updating will provide practitioners and the public with the most accurate information possible. This information is very marketable in this district and no doubt others.

We expect to incorporate the Local Rules into an existing system and have started this project. The application will be ready in early 1995.

The network software and configuration must be developed. It is my desire to develop the routing or menu software in house with existing systems staff. Staff have expressed an interest and willingness to take on this project but require Novell training prior to commencing the project. For this reason, I request that Novell training be made available to my staff at the earliest possible time. Novell authorized training centers are available in our area. Staff could enroll as soon as funds are available. Collaboration with AO or training center staff would be welcomed.

I am willing to commit the following personnel, part time, to this project because of its overall importance and potential;

- Systems Manager
- Project Manager
- Assistant Systems Manager
- PC Coordinator
- Computer Programmer
- Maintenance Technician

I am willing to commit the following equipment, currently in our possession to serve as iPACER network applications servers;

- Bankruptcy PACER 486
- Electronic Filing 386
- Fax Information System Fax Machine
- Bulletin Board System 386
- District Court Trial Pool/Bankruptcy Court Hearing Schedule 486

In addition we are able to commit;

- 14 telephone lines
- Space for network in our Computer Room
- printers as needed
- maintenance of the network
- system documentation for distribution to interested courts

I request the following support from the EPA Users Group and the AO;

- Novell Network Training for at least 4 staff members
- Additional telephone lines (at least 4 additional lines ...total 18 incoming lines)
- File server...486sx25
- JNL "Chatterbox" Communications Device for 20 incoming lines
- Wiring to the application servers
- Software development assistance
- Waiver to obtain Netware Version 3.12 20 user license
- Civil/Criminal Pacer Application Server...UNIX 486

MARKETING PROGRAM

Once iPACER is ready for implementation, the two tier marketing strategy will go into operation. First, we intend to inform and train active PACER users in the operation of the new PACER system and then we plan to target inactive users as well as prospective new users for registration.

As in any marketing strategy, many things will happen simultaneously. Initially, the focus will be on getting the word out that the PACER system has been improved and expanded and that information is available in written form. Releases to the press and media will be made. In this stage recruiting for the information and training seminars will begin.

We will develop and initially disperse written descriptions of the iPACER to the contact people identified in registration records. Intensive seminars will be offered during the three week period preceding system activation. Contacts will be encouraged to take the information back to their firms, businesses or user group.

We will, at the same time announce training seminars for interested individuals. These seminars will be scheduled during the two weeks prior to the activation of iPACER and will be available on an as needed basis for those unable to schedule training prior to start up. The object is to acquaint as many users as possible with the various options available so the "one system" user becomes familiar with the various options and makes use of them.

System design will take into account the fact that some users will be unable to attend a seminar prior to start up and will therefore include on line instructions to walk them through the menu driven network. The individual systems will not undergo revision, so on screen instructions will suffice for those individuals not attending a training seminar.

The schedule systems and the Local Rules are the only application additions. They are simple to use and should be understandable to new users.

After the current users are sufficiently recruited and operating, our efforts to expand the membership, will take priority. The second phase of the marketing strategy

involves recruiting new users from the legal and business communities as well as individual users. Initial efforts will identify potential users from groups likely to need the services we will be offering. Efforts will be made to include potential users in Integrated PACER New User Seminars. We also intend to offer seminars specifically scheduled for summer and new associates and work with the local firms and Bar Association to identify individuals and groups not registered for iPACER.

Efforts will be made to identify prospective users from the business community, such as collection agencies, credit rating services, and insurance company law departments, for example.

I am willing to supply;

- a Marketing Director
- the training staff
- the development of seminar materials
- coordination of seminars
- program documentation for distribution to interested courts

I request assistance to

- publish a professional quality guide to services,
- in securing lists of prospective users
- publish training manuals for seminar participants.

FISCAL CONSIDERATIONS

I will request authorization to charge the standard \$1.00 per minute fee for access to iPACER and all applications contained therein. The current fiscal crisis has negatively impacted automation efforts. Should this situation continue, automation progress made at considerable cost and effort, falls into jeopardy. It is my belief that this situation is unacceptable and contrary to prudent fiscal management. The need to evaluate and update existing systems is essential. It ensures that "overhauls", which result from neglect, however unintentional, are avoided.

For all these reasons, it is necessary to call on users to pay for access to and the convenience of the public systems. Without significant increases in automation appropri-

ations from Congress, future system health and vitality depends on public access system self sufficiency This should be accomplished as soon as reasonably possible. Should revenue sharing be adopted, all districts will have the incentive to pursue systems and marketing programs capable of increasing public access availability and usage. Districts will earn a measure of fiscal independence and contribute substantially to national automation priorities as identified, by the Judicial Conference, the EPA Users Group, and the AO.

CONCLUSION

These innovations will serve as a model for federal and state courts. It is our intention to pursue these goals and develop iPACER. Once developed, my staff will market iPACER with the goal of achieving an even higher level of use than we presently experience in PAE.

With your assistance, we can increase the pace of this undertaking and implement the system during 1995. We will also be in a position to offer our software and our expertise to interested district courts and thereby advance the public access objectives and goals established by the Judicial Conference.

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A1 United States District Court: Total Pending Civil Cases and Total Docket Entries, July 1, 1990 to December 31, 1992

MONTH	1990		1991		1992	
	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES
January			10,163	8,068	10,549	15,451
February			9,882	8,276	10,581	16,857
March			10,036	9,034	10,530	15,846
April			10,168	8,870	10,148	17,031
May			10,320	10,692	10,112	15,035
June			10,402	13,752	9,764	19,467
July	9,795	2,139	10,454	16,948	9,848	15,288
August	10,021	4,312	10,599	13,727	9,821	14,165
September	10,105	5,888	10,571	14,784	9,823	16,593
October	10,058	8,348	10,559	16,632	9,777	14,804
November	10,055	9,052	10,546	15,173	9,750	15,965
December	10,065	7,847	10,560	14,414	9,764	14,587
YEAR END TOTAL		37,586		150,364		191,089

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A2 United States District Court: Total Pending Civil Cases and Total Docket Entries, January 1, 1993 to December 31, 1994

MONTH	1993		1994	
	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES
January	9,673	14,037	4,561	15,108
February	8,549	15,902	4,732	16,743
March	8,377	18,602	4,783	19,452
April	8,364	17,836	4,282	17,350
May	8,391	17,582	4,405	17,792
June	8,401	18,994	4,393	22,453
July	8,224	16,756	4,411	16,349
August	8,221	15,050	4,611	17,437
September	8,124	15,411	4,535	16,832
October	4,707	21,678	4,527	16,774
November	4,628	18,014	4,540	16,805
December	4,651	19,741	4,584	15,123
YEAR END TOTAL		209,603		208,218

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

**TABLE A3 United States Bankruptcy Court: Total Pending
Bankruptcy Cases and Total Docket Entries, January 1, 1992 to
December 31, 1992**

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	15,296	25,804	11,577
February	15,408	23,637	10,533
March	15,491	28,126	12,023
April	15,500	28,880	13,039
May	15,311	26,003	12,128
June	14,951	28,110	13,086
July	14,966	28,280	12,755
August	14,843	25,353	11,083
September	14,894	28,278	11,402
October	14,845	28,852	12,095
November	14,772	28,059	10,412
December	14,547	29,110	11,595
YEAR END TOTAL		328,492	141,728

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

**TABLE A4 United States Bankruptcy Court: Total Pending
Bankruptcy Cases and Total Docket Entries, January 1, 1993 to
December 31, 1993**

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	14,050	27,706	8,615
February	14,016	26,955	9,443
March	13,894	32,710	11,912
April	13,931	30,493	10,896
May	13,800	28,272	9,870
June	13,716	29,845	10,950
July	13,627	28,211	10,206
August	13,396	27,024	10,645
September	13,313	28,561	10,102
October	13,079	26,861	9,641
November	13,163	30,151	8,706
December	13,384	26,910	7,419
YEAR END TOTAL		343,699	118,405

A P P E N D I X

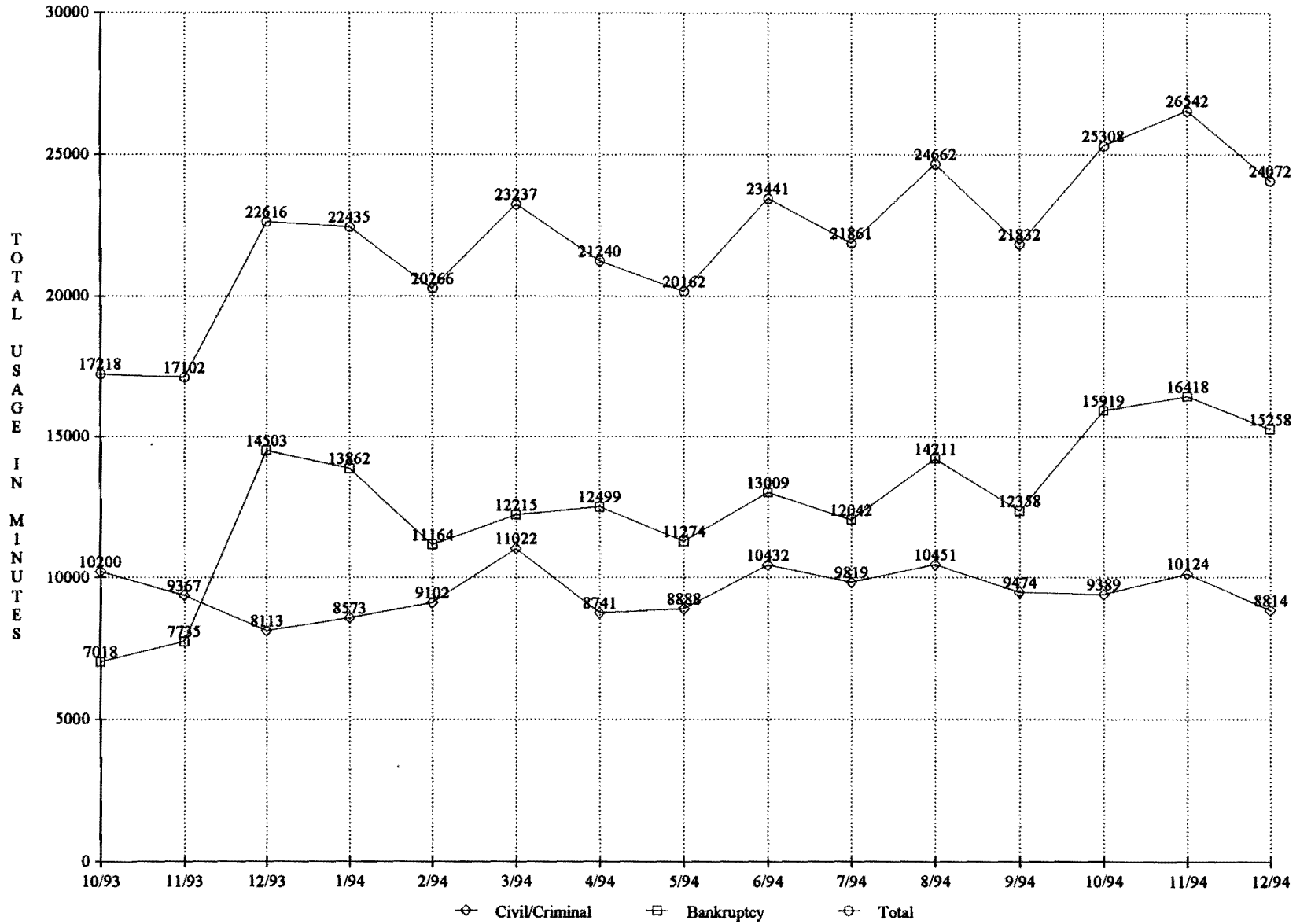
**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A5 United States Bankruptcy Court: Total Pending Bankruptcy Cases and Total Docket Entries, January 1, 1994 to December 31, 1994

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	13,179	23,583	6,959
February	13,118	26,778	6,202
March	13,057	32,167	8,325
April	12,972	27,307	8,388
May	12,676	30,558	8,485
June	12,657	29,325	8,552
July	12,842	25,131	8,008
August	12,717	29,078	8,997
September	12,913	28,807	8,050
October	12,756	27,385	7,990
November	12,672	27,439	8,367
December	12,390	25,830	7,853
YEAR END TOTAL		333,388	96,176

PACER USAGE REPORT

FROM 10/1/93 - 12/31/94



NOTICING

CURRENT	PROPOSED
Pleading received.	Pleading received.
Docketed.	Docketed.
Docket clerk prints labels.	Fax numbers, of all to be noticed, affixed to pleading.
Docket clerk goes to copy machine to make requisite number of copies.	Pleading placed in fax collection point in docketing area.
Docket clerk places copies and label in envelope.	Deputy clerk picks up fax work.
Envelope placed in mail bin for processing.	Step eliminated.
Bins picked up by mail clerk for processing.	Step eliminated.
Envelopes are weighed to determine postage.	Step eliminated.
Postage is affixed to envelope. (At least \$.32 postage per envelope.)	Step eliminated.
Envelope is placed in mail room bin.	Step eliminated.
Mail room bins are collected and taken to Post Office processing room in Courthouse.	Step eliminated.
Mail sent to parties to be noticed.	Deputy clerk sends notices. (At cost of approximately \$.09 per fax)*

* Price per fax based on study by Michael Greenwood, Administrative Office of United States Courts, Technology Enhancement Office, July 1994.

** 6 out of the 12 noticing steps are eliminated under the proposed fax noticing procedure.

FILING PROCEDURES

CURRENT	ELF	FAX
Pleading accepted at the front counter or mail and placed in the appropriate docket clerk's bin.	Pleading accepted in Statistics Office and forwarded to appropriate docket clerk's bin.	Pleading accepted from fax machine pool and forwarded to appropriate docket clerk's bin.
Not Applicable.	Capability for Court and parties to access the pleading electronically through the ELF system at this point in process.	Not Applicable.
Docketed.	Docketed	Docketed
Pleading placed on counter for 24 hours to ensure backup of electronic records completed.	Pleading placed on counter for 24 hours to ensure backup of electronic records completed.	Pleading placed on counter for 24 hours to ensure backup of electronic records completed.
Pleading forwarded to Court (if matter requires action) or file.	Pleading placed in case file.	Pleading forwarded to Court (if matter requires action) or file.
Pleading unavailable on request because in possession of the Court for action.	Not applicable.	Pleading unavailable on request because in possession of the court for action.
After Court action, original pleading returned by Courtroom Deputy to Records Room to be placed in file.	Not applicable.	After Court action, original pleading returned by Courtroom Deputy to Records Room to be placed in file.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**RECOMMENDATION FOR PROPOSED AMENDMENTS
TO
FEDERAL RULES OF CIVIL PROCEDURE 5(b) AND 77(d)**

**Michael E. Kunz
Clerk of Court**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA PA 19106-1797

MICHAEL E. KUNZ
CLERK OF COURT

CLERK'S OFFICE
ROOM 2609
TELEPHONE
(215) 597-7704

February 9, 1995

Peter F. McCabe, Secretary
Committee on Rules of Practice and Procedure of the
Judicial Conference of the United States
Thurgood Marshall Federal Judiciary Building
Washington, DC 20544

RE: Federal Rules of Civil Procedure 5(b) and 77(d)

Dear Mr. McCabe:

In light of the recently proposed changes to Rule 5(e), which allow for electronic filing, signing and verification of documents, I respectfully suggest that in the interest of consistency, Rule 5(b) which provides for service of papers by hand delivery or by mail and Rule 77(d) which requires the Clerk of Court to service notices of the entry of an order or judgment on the parties by mail, be amended to allow for service by litigants and notice by the Clerk of Court by facsimile or electronic means. I suggest that Rule 5(b) be amended as follows:

"...Service upon the attorney or upon a party shall be made by delivering a copy to the attorney or party, or by mailing it to the attorney or party at the attorney's or party's last known address or, if no address is known, by leaving it with the clerk of the court, or sending a facsimile to the attorney or party or by utilizing electronic means consistent with any technical standards that the Judicial Conference of the United States may establish. If the judge to whom the case is assigned determines that because of economic disadvantage by a party that service by means other than personal hand delivery or mailing would not be in the interest of justice, he may enter a scheduling order mandating that service may only be made by hand delivery or mailing. Delivery of a copy..."

I further suggest that the first sentence of Rule 77(d) also be amended to permit the Clerk to serve notice by these means, reading as:

"..the clerk shall serve a notice of the entry by mail, facsimile or electronic means, which must be consistent with any technical standards that the Judicial Conference of the United States may establish, in the manner provided for in Rule 5..."

Peter F. McCabe
February 9, 1995
Page 2.

The Eastern District of Pennsylvania has long been on the cutting edge of modern court management. I know that our track record on automation and technology has been generally recognized by the Administrative Office.

With regard to Rule 77(d), we were one of the first courts to implement PACER, VCIS and electronic filing; Mike Greenwood of the AO estimated in 1994 that fax transmissions cost \$.09 per minute. As you are aware, the cost of a standard U.S. postage stamp is \$.32. Our support staff estimates that we now mail approximately 32,000 of these types of orders each year, and that number is bound to increase. Based upon the number of orders processed in this district, postage savings alone would be in excess of \$10,000.00. Using facsimile transmissions represents an obvious cost savings not only in terms of the cost of postage, but in the cost of the envelope, the cost of photocopying the orders, and the cost in terms of my personnel having to process mailings. As a large metropolitan court in an era of budgetary constraints, these savings would be impressive. This rule amendment would cut nearly in half the number of steps required to process notices, and would result in a time savings on the part of court employees of roughly 75 percent. This rule amendment would be in keeping with efforts to streamline government, which were given voice in the Civil Justice Reform Act of 1990, as it would lower costs and reduce delay to litigants, and increase this office's already high level of productivity.

Even more significant than the costs savings are the benefits this type of rule change would bring to the administration of justice, both in areas of procedural fairness and the public perception of the court as dedicated to the swift handling of civil matters. Service of process would be greatly facilitated by the rule change and lawyers would be able to more accurately process paperwork, which would result in cost and time savings.

There are a number of compelling reasons for the implementation of the concept of electronic access in the Federal Courts at this time. Electronic Filing enables the Clerk of Court to make data available electronically, locally and in distant locations, 24 hours a day, seven days a week to the bench, the bar, government agencies, and the public. The information is also available to be downloaded to a personal computer and printed-out.

The federal courts have experienced an increase in case filings, complexity of cases and large volume of documents filed of record, and the exigent nature of the litigation requires that our federal courts and support units be furnished with the tools

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF PENNSYLVANIA**

**REPORT OF AUTOMATED SYSTEMS
AND
TECHNOLOGICAL SERVICES**

**MICHAEL E. KUNZ
CLERK OF COURT**

December 1994

FOREWORD

This report describes the automated systems and technological services, as well as related staff training, available in the Office of the Clerk of Court of the United States District and Bankruptcy Courts for the Eastern District of Pennsylvania. The automated systems and technological services are intended to provide the Court, the bar, litigants, and the public with convenient and inexpensive access to court records. Ongoing staff training in automation, docketing, and word processing ensures efficient and effective service for the legal community and the public when they come before this Court.

ACKNOWLEDGMENTS

The successful implementation of the systems, services, and training described in this report is the result of outstanding support of the judges of the United States District Court for the Eastern District of Pennsylvania and substantial contributions by the Administrative Office of the United States Courts, the Federal Judicial Center, the United States District Court Training Center at San Antonio, Texas, and the Clerk of Court's Automation Support Staff and Case Processing Staff—Marlene McHugh Anderson, Susan Matlack, Linda Washington, Rita Dougherty, Janet Fanelli, Natalie Scornaienchi, Mark Boraske, Charlie O'Donnell, Mary Grace O'Connor, Thomas Clewley, Daniel DeCerchio, Daniel DeLuca, Mary Chase, and all of the docketing clerks.

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INTRODUCTION

The United States District Court for the Eastern District of Pennsylvania has implemented 16 of the 21 major, nationally supported automation systems in the country, and is currently serving as a pilot court for three major projects. Table 1, below, details the major nationally supported automation systems and selected projects that have been implemented in the Eastern District of Pennsylvania as of December 1994.

TABLE 1 Major Nationally Supported Automation Systems and Selected Projects in the United States District Court, Eastern District of Pennsylvania, as of December 1994

Major Nationally Supported Automation Systems and Selected Projects in Progress	In the Eastern District of Pennsylvania...		
	Implemented	Not Applicable	Unavailable
<i>Automation Systems</i>			
1 Attorney Admissions	✓		
2 Automated Travel Voucher System			✓
3 Bankruptcy Automated Noticing System			✓
4 Case Assignment System	✓		
5 CHASER (UNIX)	✓		
6 Criminal Justice Act System	✓		
7 Court Financial System - I (CFS-I)	✓		
8 Data Communication Network (DCN)			✓
9 Electronic Dissemination of Opinions Systems (EDOS)	✓		
10 ICMS Appellate Information Management System (AIMS)		✓	
11 ICMS Bankruptcy Court Automation Project (BANCAP)	✓		
12 ICMS CIVIL	✓		
13 ICMS CRIMINAL	✓		
14 National Interim Bankruptcy System (NIBS)		✓	

(table continues on next page)

(table continued from page 1)

15	Naturalization System	✓		
16	Personnel System	✓		
17	Probation and Pretrial Services Automated Case Tracking System (PACTS)	✓		
18	Property Inventory System	✓		
19	Public Access to Court Electronic Records (PACER)	✓		
20	Records Management System (RMS)	✓		
21	Voice Case Information System (VCIS)	✓		
<i>Major Projects in Progress</i>				
22	Bankruptcy Noticing Center			✓
23	Budget and Accounting System for the Courts (BASC)			✓
24	Calendaring System			✓
25	CHASER (DOS)			✓
26	Civil Justice Reform Act (CJRA)	✓ (Pilot Court)		
27	Facilities Automation for the Courts (FACTS)			✓
28	Fines Center	✓ (Pilot Court)		
29	Judgment and Commitment System	✓ (Pilot Court)		
30	Jury Modernization			✓

AUTOMATED SYSTEMS AND TECHNOLOGICAL SERVICES

Videotaping Pilot Program

The Eastern District of Pennsylvania was selected to participate in a two-year pilot program, which began in January 1991, on the use of videotaping as a means to record official court proceedings. Videotape equipment, consisting of eight voice-activated and fully automatic cameras, has been installed in the two courtrooms on the eleventh floor of the U.S. District Court building at 601 Market Street. The use of videotape reduces costs while ensuring the accuracy of the court record. Videotape also allows the court and counsel to review any day's testimony at a minimal cost and without the ordinary transcript delay.

From January 1, 1991, through October 31, 1993, 171 cases were videotaped as part of the Videotaping Pilot Program in the United States District Court for the Eastern District of Pennsylvania. A total of 1,052 videotapes was prepared —608 were prepared for the Court of Appeals, and 444 videotapes were sold to members of the bar, the public, and the media for information purposes. The total number of pages produced was 30,290.

Broadcasting in the Courtroom

At its September 1990 meeting, the Judicial Conference of the United States Courts approved the recommendation of the Ad Hoc Committee on Cameras in the Courtroom (the Peckham Committee), thereby authorizing a pilot program that permits photographing, recording, and broadcasting of federal civil court proceedings. The Eastern District of Pennsylvania was selected as a participant in the pilot program, which began in July 1991 and was scheduled to run for two years on an experimental basis.

Of the 117 broadcasting requests from the media since July 1991 (when participation in the pilot program began), 86 requests were approved, 16 were disapproved, and 15 cases were settled. Most of the requests were for civil rights cases, as shown in the following table:

Number and percent of media requests to broadcast federal civil court proceedings, by type of case, Eastern District of Pennsylvania, July 1991 through December 1994

Nature of Request	Number of Requests	Percent of All Requests
Forfeiture/Penalty	1	1%
Prisoner Petitions	8	7%
Labor	4	3%
Contract	9	8%
Other Statutes (antitrust, environmental matters)	13	11%
Torts	21	18%
Civil Rights	57	49%
Bankruptcy	3	2%
Property Rights	1	1%

Of the civil rights requests made, 74 percent were approved and 12 percent were disapproved. Although statistics show that only 16 percent of the total requests were disapproved, we should concentrate more in-depth on the reasons for disapproving a request. Some of the reasons for disapproving a request to tape a federal civil court proceeding are (1) an untimely requests (applications must be made with three days); (2) exclusion of *Habeas Corpus* cases by the Judicial Conference of the United States; (3) in the interest of justice, to protect the rights of the parties, witnesses, and the dignity of the Court, and to ensure the orderly conduct of the proceedings; (4) the courtroom is already equipped with video cameras and the copy of the tape of the proceedings can be obtained from the Clerk of Court; (5) minor's interests are at stake; (6) objection by counsel.

When all these factors are taken into consideration, it is abundantly clear that the implementation of this pilot program has been an overwhelming success in the Eastern District of Pennsylvania. The Federal Judicial Center has prepared an evaluation of the program in the eight pilot courts that recognizes "there was a very active media

coordinator in the Eastern District of Pennsylvania, which had the greatest volume of application and coverage activity." The Center's evaluation concluded that overall, the attitudes of judges toward coverage were initially neutral and became more favorable after experience with electronic media coverage. An additional finding through the evaluation was that judges and attorneys who had experience with electronic media coverage generally reported observing little or no effect of camera presence on participants in the proceedings, courtroom decorum, or the administration of justice.

At the September 20, 1994 session of the Judicial Conference of the United States, the Conference declined to authorize the photographing, recording, and broadcasting of civil proceedings in federal trial and appellate courts and the program sunset December 31, 1994.

Judicial Staff Automation

For the past several years, the Eastern District of Pennsylvania has attempted to bring the court into the age of automation. Thanks in large part to appropriations from Congress that are specified for automation uses, the EDPA has provided all judicial officers and their staffs with personal computers. These personal computers are equipped with WordPerfect, a word processing program; Lexis and Westlaw, for legal research; electronic mail ("E"-mail), for the rapid transfer of data; and an electronic interface to CIVIL/CRIMINAL, the automated civil and criminal docketing system used by the Office of the Clerk of Court. Any new releases or upgrades will be provided to our court. The response to these technological innovations has been favorable.

Starting December 1994, the Data Communications Network (DCN) will be installed in the Eastern District of Pennsylvania and this will provide electronic mail capabilities for this district with the entire nation.

Automated Statistical Reporting of Trial and Other Court Activity

During November 1994 an automated system of reporting district court judicial trial and other court activity to the Administrative Office of the United States Courts was

implemented. A total of 45 courtroom deputy clerks were trained on the system and for the November 1994 reporting period the trial activity information was transmitted electronically to the Administrative Office.

Automated CIVIL/CRIMINAL Docketing System

CIVIL/CRIMINAL is an electronic civil and criminal docketing and case management system that replaces the manual paper system. The CIVIL/CRIMINAL automated docketing system utilizes one UNISYS 6000 computer and one DELL 486 computer, and can support 200 users. CIVIL/CRIMINAL:

- automates maintenance of the civil and criminal docket sheets;
- provides case status, document history, deadline tracking, and Speedy Trial Act tracking;
- serves as a central, up-to-date information resource throughout the Court;
- automates the production of notices and other standard correspondence;
- automates the case and party indexes, and the case opening and closing reports;
- generates reports to assist judges and court administrators in monitoring case activity;
- enables this court to customize reports to address our special needs as they arise.

On July 1, 1990, the Clerk's Office of the Eastern District of Pennsylvania implemented use of the CIVIL/CRIMINAL system. All civil cases filed after July 1, 1990, and any active civil cases filed before July 1, 1990, are contained in the CIVIL/CRIMINAL data base. Effective July 1, 1992, all criminal cases were added to the data base. The system is available to all judicial officers in this district through personal computers installed in chambers and can be assessed by the public through terminals in the Clerk's Office.

All deputy clerks have been trained on the CIVIL/CRIMINAL system and are able to enter information and retrieve dockets to maintain an effective, efficient system of case management. Other deputy clerks, such as law clerks, are able to access docket information to effectively manage the Court's cases.

Implementation of the CIVIL/CRIMINAL system has increased the security of our dockets. All entries into the CIVIL/CRIMINAL system are backed up daily, weekly, and monthly onto magnetic tapes. The monthly back-ups contain all information entered into the system and are located off-site for three years before they are forwarded to the Federal Records Center. The back-up system allows our court to have two copies of all docket information, so if security is breached, information can be retrieved from the magnetic tapes stored in the off-site facility.

We have also developed an attorney roll as a separate data base on the CIVIL/CRIMINAL system. It can generate mailing labels for all attorneys involved in civil litigation and criminal cases in this district, and it has enhanced our court's communication with the attorneys in the Eastern District of Pennsylvania.

CIVIL/CRIMINAL has proved to be an effective and efficient computerized docketing system, and docket clerks as well as members of the public have found it easy to use. Our courtroom deputies have also responded favorably to the CIVIL/CRIMINAL system. With the old manual system, they had to physically retrieve dockets from the Clerk's Office on the second floor of the courthouse, but with CIVIL/CRIMINAL they can retrieve dockets without leaving their offices, which saves them much time. Furthermore, the law clerks and courtroom deputy clerks are no longer required to maintain an updated docket sheet in their offices.

The CIVIL/CRIMINAL system has enabled our courtroom deputy clerks to spend considerably less time and effort than they have in the past maintaining routine clerical records associated with case management. CIVIL/CRIMINAL can generate reports that our courtroom deputies once had to complete by hand, and it compiles various reports that provide our judges and other court personnel with invaluable information. The CIVIL/CRIMINAL system generates statistical data and reports requested by the Administrative Office in far less time than previously, when those statistics were compiled by hand.

Our courtroom deputy clerks and our case processing clerks have reported that their work is more rewarding and that they are able to accomplish more in less time with the automated system. The system performs several routine clerical tasks that enable our

staff to channel their efforts into more productive work assignments. Finally, the public can use the system with a minimum of training, which increases productivity because dockets no longer have to be pulled manually.

CHASER—Chambers Access to Selected Electronic Records

The CHASER system operates like PACER and provides access by this court's chambers into the court data base via modem. This feature was added to the main menu of the chambers' personal computer network in December 1992. The in-house court user can access court records by searching data by a case name or a case number. In addition to printing docket reports, the CHASER system can provide the chambers user with case management data, such as reports of pending cases, pending motions, and pending schedules.

PACER-Public Access to Court Records

The PACER system improves access to court records for attorneys and the public. Information contained in the court's data base can be accessed via modem; a total of twelve modems are available to the public for access to the court's records. The user dials in from a remote terminal to the court's computer and can access a search of information through either a case name or a case number, and can request docket reports. The information is either saved on the user's PC terminal or it is printed out as a report during on-line access. This system was implemented for civil records in August 1991, for bankruptcy records in March 1992, and for criminal records in December 1992. The civil/criminal PACER system receives approximately 450 calls per week and the bankruptcy PACER system receives approximately 1,000 calls per week.

In accordance with the Judiciary Appropriations Act of 1991 (Pub L. 101-515, Title IV, § 404, November 5, 1990), the Eastern District of Pennsylvania assessed a fee of \$1.00 per minute of PACER access, effective October 1993. This district implemented local billing procedures which have been very successful and have produced in excess of

\$265,035 as of November 1994 for the Judiciary Automation Fund. Listed below is a chart showing the total usage in minutes for the civil and bankruptcy PACER systems from October 1, 1993 through December 31, 1994.

Total PACER Usage In Minutes			
	CIVIL PACER	BANKRUPTCY PACER	Total PACER Usage
October 1993	10,200	7,018	17,218
November	9,367	7,735	17,102
December	8,113	14,503	22,616
January 1994	8,573	13,862	22,435
February	9,102	11,164	20,266
March	11,022	12,215	23,237
April	8,741	12,499	21,240
May	8,888	11,274	20,162
June	10,432	13,009	23,441
July	9,819	12,042	21,861
August	10,451	14,211	24,662
September	9,474	12,358	21,832
October	9,389	15,919	25,308
November	10,124	16,418	26,542
December	8,814	15,258	24,072
TOTALS	142,509	189,485	331,994

Electronic Bulletin Board Of Judicial Opinions

An electronic bulletin board that allows any member of the bar or public to transmit judicial opinions to their personal computers has been installed and operational since May 7, 1992. The users have access 24 hours a day, and can download the judicial opinions in WordPerfect 5.1 format to their office computers and print the opinions in their own office. The bulletin board system receives approximately 150 calls per week.

Electronic Submission of Documents

All civil documents—including Complaints, Notices of Removal, and Notices of Appeal—can be filed electronically in the Eastern District of Pennsylvania. The legal agency or law firm utilizing electronic filing must first submit an application to the Clerk's Office explaining the equipment specifications needed for electronic transmission. With the Electronic Filing System, an attorney can retrieve any electronically filed document and download it to his or her personal computer.

Electronic Sound Recording (ESR)

Electronic sound recording has experienced dramatic and rapid growth since the Judicial Conference sanctioned its use in the Federal courts, owing to its efficiency and cost-effectiveness. In the Eastern District of Pennsylvania, the electronic sound recording program has had a substantial impact on court reporting costs. The combined court reporting program of official court reporters and ESR operators enables the EDPA to meet the needs of all judicial officers at one time (including senior judges, magistrate judges, and bankruptcy judges), precluding the need to contract with court reporters.

An ESR Supervisor assigns court recorder operators on an "as needed" basis, processes all orders for transcripts and tapes, and acts as a liaison between the transcription firms and the Court. In addition to operating the equipment, the ESR operators perform such functions as administering oaths to jurors, swearing in witnesses,

taking exhibits, and calling the calendar, as well as producing a verbatim record of all court proceedings.

ESR Operators receive extensive training and must have a broad understanding of Clerk's Office policies and court proceedings. Aside from learning how to operate the equipment, they receive substantive training in courtroom procedures for civil, criminal, and bankruptcy proceedings; case processing and paperflow management; and the local and federal rules of court. ESR operators are schooled in "courtroom protocol," as well—an important aspect of training required by the judicial officers in this district.

ESR equipment has proved effective in a variety of proceedings in this district, ranging from jury and nonjury trials to hearings, *voir dire*, chambers' conferences, and side-bar courtroom conferences. One particularly effective use of ESR is the recording of pleas and sentences in criminal cases, since 28 U.S.C. §753 specified that the court reporter must file either a transcript or tape in these proceedings. Several extensive high-volume cases, including some that required daily copy, also have been produced exclusively by ESR.

There has been a noticeable improvement in the delivery of transcripts since the ESR program was initiated. We believe that when a staff of official court reporters is augmented with the use of electronic sound recording operators, the court reporters have more quality time to devote to the production of timely and accurate transcripts both for the District Court and the U.S. Court of Appeals.

During January 1992, four personal computers were installed in courtrooms in order to automate the electronic sound recording log. With a software package called VISTA, the electronic sound recorders produce automated logs of court proceedings, as well as automated listings of witnesses and exhibits. The VISTA system has increased the accuracy of the transcripts and the speed of requested playbacks in court. This system was installed in all courtrooms during December 1992.

Reduced Transcript System (TINYTRAN)

Effective February 1, 1993, all transcripts prepared by Electronic Sound Recording Transcribers are required to be accompanied by a floppy disk. This enables the Clerk's Office, with the use of the TINYTRAN software, to provide the Court with reduced transcripts by printing eight pages of a transcript on one page.

BANCAP—Bankruptcy Court Automation Project

The Bankruptcy Court for the Eastern District of Pennsylvania has been using a computer system called BANCAP since May 1988. BANCAP has the capacity to:

- automate the production of the docket, notices, orders, case and party indexes;
- enable the court to docket to a case and its related cases simultaneously;
- provide case status, document, and deadline tracking;
- access case information for use by the court, the litigants, and the public;
- enable the court to develop customized reports to address local needs; and
- accommodate each court's local rules and procedures.

BANCAP captures the list of creditors (matrix) with an Optical Character Reader (OCR). The OCR reads typewritten lists, which are prepared in a prescribed format, using only Courier 10, Prestige Elite, and Letter Gothic typefaces. Lists should be typed on a single page in a single column, with each name/address consisting of no more than five lines. The OCR will not read lists that deviate from the prescribed format. Counsel are required to include their complete address, telephone number, and State Bar identification number on all filings.

VCIS—Voice Case Information System

The Voice Case Information System is a service provided by the Federal Courts that allows anyone to access the most current information about any bankruptcy case

from a touch-tone telephone. To hear the most current information on a case, the user dials 597-2244, then enters the name of a participant in the case of inquiry, and hits the # button. The VCIS system receives approximately 1,100 calls per week.

CAPSCAN (Court Automation Project - Scanning)

During 1993 CAPSCAN was implemented in the Bankruptcy Court Clerk's Office and this provided the capability to use bar coding technology to assist in case processing. Initially, bar codes were designed to assist in the closing of cases and in September 1994 was expanded to include standard docketing entries.

In the near future, the program will be expanded to allow attorneys to place bar coding information on their pleadings. The bar coding software is compatible with any word processing program and enables the docket clerk to scan the attorney's bar identification number, linking the attorney's name and address and automatically entering them into the BANCAP system.

JARA—Jury Assembly Room Automation

In May of 1991, this district installed the Jury Assembly Room Automation (JARA) system, which completely automated the management of juries. With the JARA system the jury assembly room personnel can provide an automated random selection process for the judges requesting panels for civil and criminal cases. The JARA system also automates the record of jurors in attendance, the creation of panel sheets, a mailing list, and the random selection of jurors.

Credit Card Collection Network

In September of 1987, the Department of the Treasury established a government credit card collection network to enable federal agencies to accept credit cards (Visa and MasterCard) for the collection of receipts due the government.

Credit cards are accepted as payment for the following transactions in the Clerk's Office:

- filing fees,
- electronic submission filing fees,
- copywork (docket sheets, opinions, etc.),
- PACER access fees,
- copies of ESR-taped proceedings,
- attorney admission fees,
- local rules binders,
- searches and certifications,
- retrieval fees for case files maintained at the Federal Records Center, and
- arbitration fees.

A credit card can also be used to pay for requests for copies via the mail. The credit card number, expiration date, and specified amount to be charged must be provided in the request letter, and the letter must be signed by the same person whose signature appears on the credit card. Once payment has been made, a cash register receipt and a bank charge slip are issued, with the words "MAIL REQUEST" inserted in the signature block.

For safekeeping of the credit card, the Clerk's Office issues numbered identification cards bearing the law firm's credit card number, expiration date, and the signature of one of the firm's partners. These cards are issued after an authorization form is completed. The courier shows the I.D. card to the cashier and the transaction is processed. On the bank charge slip, "AUTHORIZATION ON FILE" appears in the signature block.

Personal Computers

Currently the chambers of each district court judge, magistrate judge, and bankruptcy judge is equipped with a personal computer for each member of the judicial officer's staff. This office supports over 400 personal computers. During the summer of 1991, all chambers were upgraded to PC-386 systems, except one workstation, which remained a PC-286 system. During the summer of 1992, the remaining PC-286 systems were upgraded to PC-486 systems. The PC-286 systems that were removed from each chambers were installed in the courtrooms to automate the electronic sound recording logs.

During the summer of 1992, the Clerk's Office docket clerks were provided with a PC-486 to enable them to access the CIVIL/CRIMINAL docketing system and to provide word processing capabilities to the case processing staff. This allows the docket clerks to automate all standard forms, which had been manually typed, and provides each docket clerk with a printer, so all reports produced by the CIVIL/CRIMINAL system can be retrieved quickly.

During January 1994, 18 personal computers and printers were installed in the Bankruptcy Court Clerk's Office for the docket clerks to access the BANCAP system and for the automation of all manually prepared standard forms. An additional 14 personal computers and printers are scheduled to be installed in the Bankruptcy Court Clerk's Office during January 1995.

Judgment & Commitment System

During August 1992, thirty courtroom deputy clerks received training at the Fine Center in Raleigh, North Carolina, on the Judgment and Commitment System, which was implemented in December 1992. The Judgment and Commitment System enables the automated preparation of the Judgment and Commitment Orders and eventual transfer of the fine amount to the Fine Center for tracking. As of November 30, 1994, a total of

2,059 Judgment and Commitment Orders have been produced through the automated system.

UNISYS Mainframes and Personal Computers

Four UNISYS mainframes and personal computers and one DELL 486 personal computer are installed in our computer room. The following is a list of the equipment and the application residing on the system.

UNISYS 6000/35	CIVIL Non-Asbestos Docketing
UNISYS 6000/35	BANCAP Docketing
UNISYS 5000/90	CFS Financial System
DELL PC-486	CIVIL Asbestos/CRIMINAL Docketing Judgment & Commitment System
UNISYS 6000/35	PACER and CHASER

The CIVIL Non-Asbestos Docketing and BANCAP Docketing applications were recently transferred from UNISYS 5000/95 computers to UNISYS 6000/35 computers. The CIVIL asbestos and CRIMINAL docketing system was transferred to a DELL 486. This transfer has provided additional report processing capabilities and speeded up response time for all users.

Telephone Interpreting Project

The Telephone Interpreting Project, begun in January 1993, provides bidirectional simultaneous interpreting with a telephone call to certified interpreters based in Las Cruces, New Mexico. This project is a cost-effective provider of language support services and eliminates any scheduling delays that might occur when a certified interpreter is not available. Telephone interpreting allows two-language hearings to proceed at virtually the same pace as those conducted only in English. With the equipment installed in a courtroom, the interpreting is conducted through wireless FM receivers tuned to each user's language of choice. The result is a system that makes interpreting close to

transparent, with the participants moving about the courtroom and speaking just as they would if there were no interpreting.

Judicial Schedule of Trials-Automated System Inquiry (JUST-ASK)

During March 1995 the Office of the Clerk of Court will implement a public access system called the Judicial Schedule of Trials-Automated System Inquiry (JUST-ASK). JUST-ASK provides up-to-date information on the status of trials scheduled in the United States District Court and immediately reflects the daily status of listings as the information becomes available to the Clerk of Court. JUST-ASK is offered free of charge, seven days a week and twenty-four hours a day to any individual or office with a pc and modem.

All cases schedule for trial, presently on trial, in the trial pool and special notices from the Court are included on the system. JUST-ASK also provides the capability of viewing or downloading a report on the disposition of cases previously listed on the system. For user convenience, all information contained in this system is available by judge, case number, party name and/or attorney name. The user dials in and chooses the option which is most convenient to view listings, by case, judge, party, attorney or the entire listing. JUST-ASK also allows the user to retrieve a list of each case in which a specified attorney is involved, then the information can be download to the user's computer and printed.

**TRAINING:
AUTOMATION, DOCKETING, AND WORD PROCESSING**

Training continues to play an essential role in the operation of this District Court. An investment in training programs ensures that those who come before this court—the public and the legal community—are served efficiently and effectively. Our goal is to ensure that Court personnel have the skills and perspective to contribute significantly to the administration of justice in the Eastern District of Pennsylvania.

ICMS CIVIL/CRIMINAL

Substantial resources were dedicated to training all Courtroom Deputies in query techniques that provide on-line interaction with the ICMS CIVIL/CRIMINAL systems. This training focused on procedures for accessing speedy trial, service of process, pending deadlines, party, counsel, and all other docket information. As a result, deputies are able to obtain the most current automated information to assist in the management of the Court's case load. Thirty-seven deputies participated in this training.

In addition, an ongoing training program updates all staff members on modifications in the ICMS CIVIL/CRIMINAL system.

The introduction of the ICMS CRIMINAL System created the need to train staff in implementing and maintaining this new data base. Five Case Opening Clerks and one Data Quality Analyst were instructed in case opening procedures, including the use of development worksheets to organize required information. Participants are able to review information and indictments and input information concerning parties, counts, Index Key Codes, AO Offense Code, offense grade and applicable sentencing information.

An extensive ICMS CIVIL/CRIMINAL cross-training program was implemented during January 1994 and to-date twenty-one deputy clerks have undergone the comprehensive training program and are certified civil and criminal docket clerks. The training will be extended to all case processing clerks and was recently extended to all courtroom deputy clerks.

WordPerfect 5.1 Training

WordPerfect 5.1 training is offered to all members of the Office of the Clerk of Court. The training enables all employees to fully utilize word processing in their present job assignments, and clears the way for fully automating administrative and clerical tasks. In keeping with these objectives, individuals are encouraged to examine all available WordPerfect 5.1 techniques and use them whenever possible. Follow-up support and assistance are provided in addition to the training sessions.

Trainees learn the basic aspects of document preparation, including formatting, saving, retrieving, merging, and final copy enhancement. In a course entitled "Introduction to WordPerfect," they receive comprehensive instruction in all the methods they need to create, edit, and print both simple and complex documents, from **word processing basics**—such as learning how to use the keyboard, starting up WordPerfect, using the command function keys, accessing WordPerfect's "HELP" facility, and understanding and controlling the movement of the cursor—to **creating, saving, and retrieving a document** (entering text, editing on the screen, revising/deleting/inserting text, naming the document), **document and text formatting** (how to specify margins, page size/type, line spacing; centering, boldfacing, underlining, indenting, italicizing, setting text flush right or flush left; selecting and sizing fonts), **pagination** (inserting page breaks; using automatic page numbering), and **printing** (how to print an entire document, one page, selected pages, or envelopes). In addition, some of the more **advanced WordPerfect techniques** are taught in this course, including the use of date options, how to view a document on the screen before printing it, how to print envelopes, how to use "spell-check," creating and using directories, creating and printing labels, and merging primary and secondary files.

Individual training sessions enable staff to work at their own pace, an efficient and economical approach because the amount of training time devoted to each individual is based on his or her skill level. Individual training also provides the opportunity for introducing advanced applications to those who have mastered the basics.

Practice exercises are assigned and reviewed prior to a training evaluation. The evaluation measures program progress as well as individual proficiency.

Training began in October 1992, and since that time a total of 134 Docket Clerks, Courtroom Deputies/Electronic Sound Recording Operators, and Deputy Clerks have participated.

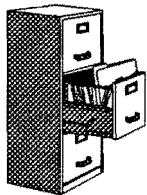
Courtroom Deputies and case processing clerks continue to be trained and updated in the use of the Eastern District of Pennsylvania forms program, which expedites case management administration. All manual forms utilized by the bankruptcy court case processing clerks were automated with training and implementation occurring during October 1994.

DIRECTORY OF COURT-AUTOMATED SERVICES

DISTRICT COURT

Public Access to Court Electronic Records (PACER)

The PACER system allows any member of the bar or the public who has access to a computer and a modem to obtain civil and criminal docket records. The user can obtain the complete electronic history of all cases that are contained on the CIVIL/CRIMINAL docketing system (i.e., all civil cases filed since July 1, 1990, and all pending civil cases, except asbestos and prisoner cases, filed prior to July 1, 1990, and all criminal cases filed since July 1, 1992). In accordance with the Judiciary Appropriations Act of 1991 (Pub.L 101-515, Title IV, § 404, November 5, 1990), the fee for accessing PACER is \$1.00 per minute.



Electronic Bulletin Board of Judicial Opinions for the Eastern District of Pennsylvania

The Electronic Bulletin Board permits any person with a computer and modem to connect to a special public-information computer and obtain current judicial opinions for the Eastern District of Pennsylvania.



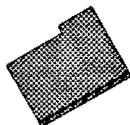
Electronic Submission of Civil Documents

Any law firm or legal agency may submit civil documents in an electronic form instead of in the usual paper-document form. Complaints, Notices of Removal, and Notices of Appeal may be filed electronically with the use of a Visa or MasterCard credit card to the United States District Court for the Eastern District of Pennsylvania. An electronic submission consists of computer-readable information that is transmitted to the court computer, where it is then printed out for submission to the judge.



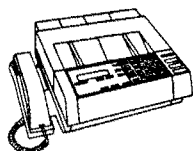
Electronic Access to Civil Documents

The Electronic Access to Civil documents allows any member of the bar who is equipped with a computer and a modem to obtain civil documents that have been electronically filed on the system.



FAX Ordering of Docket/Document Copies and/or Searches

Any member of a law firm, legal agency, or the public can FAX a request to obtain the following: (1) copies of civil dockets; (2) copies of civil documents; (3) name searches performed on civil records.



Credit Card Collection Network

Any law firm, legal agency, or company can arrange to use a Visa or MasterCard when making payment for filing fees and other district-court-related expenses. Credit card payment provides for an alternative to cash/checks that easily accommodates any internal accounting procedure. The network supports in-person, telephone, and mail requests.



Automated Voice Attendant Telephone Answering System



This system provides automated information on district court office hours, address, court costs, and filing procedures.

To use the system, dial **(215) 580-2275**.

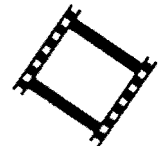
Microfiche Reports

ACCESS MICROFICHE REPORTS IN SEVERAL WAYS:

Index by party or case number - Civil filings from 1961 to the present; Criminal filings from 1964 to the present; Miscellaneous filings from 1969 to the present; Magistrate filings from March 1, 1980, to the present.

Index by judgment - Outstanding judgments from December 31, 1984, to the present; Outstanding/satisfied judgments from January 1, 1985, to the present.

Index by nature of suit - Civil cases from 1961 to the present.



Telephone Access for the Hearing- and/or Speech- Impaired



A hearing and/or speech impaired individual equipped with a Telecommunications Device for the Deaf (TDD) can contact the Office of the Clerk of Court by calling the General Service Administration's (GSA's) Federal Information Relay Service (FIRS) at **1-800-877-8339**.

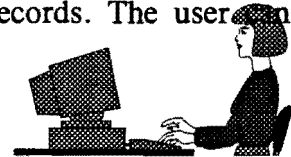


BANKRUPTCY COURT

Public Access to Court Electronic Records (PACER)



The PACER system allows any member of the bar or the public who has access to a computer and a modem to obtain bankruptcy docket records. The user can obtain the complete electronic history of all cases that are contained on the BANCAP docketing system (i.e., any bankruptcy case filed after May 5, 1988, with activity in the last six months.) In accordance with the Judiciary Appropriations Act of 1991 (Pub.L 101-515, Title IV, § 404, November 5, 1990), the fee for accessing PACER is \$1.00 per minute.



Voice Case Information System (VCIS)

The VCIS system allows the general public to obtain voice BANCAP information from any standard touch-tone telephone.

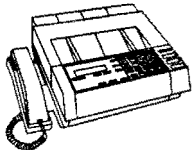
Access VCIS by dialing (215) 597-2244.

Hello, and welcome to VCIS. What information would you like?



FAX Ordering of Docket/Document Copies and/or Searches

Any member of a law firm, legal agency, or the public can FAX a request to obtain the following: (1) copies of bankruptcy dockets; (2) copies of bankruptcy documents; (3) name searches performed on bankruptcy records.



Credit Card Collection Network



Any law firm, legal agency, or company can arrange to use a Visa or MasterCard when making payment for filing fees and other bankruptcy-court -related expenses. Credit card payment provides for an alternative to cash/checks that easily accommodates any internal accounting procedure. The network supports in-person, telephone, and mail requests.



Microfiche Reports

ACCESS MICROFICHE REPORTS IN THE FOLLOWING WAYS:



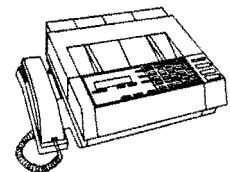
Index by party or case number - Bankruptcy filings from June 15, 1986 to the present.

Index by judgment - Outstanding judgments from December 31, 1984 to the present; Outstanding/satisfied judgments from January 1, 1985 to the present.

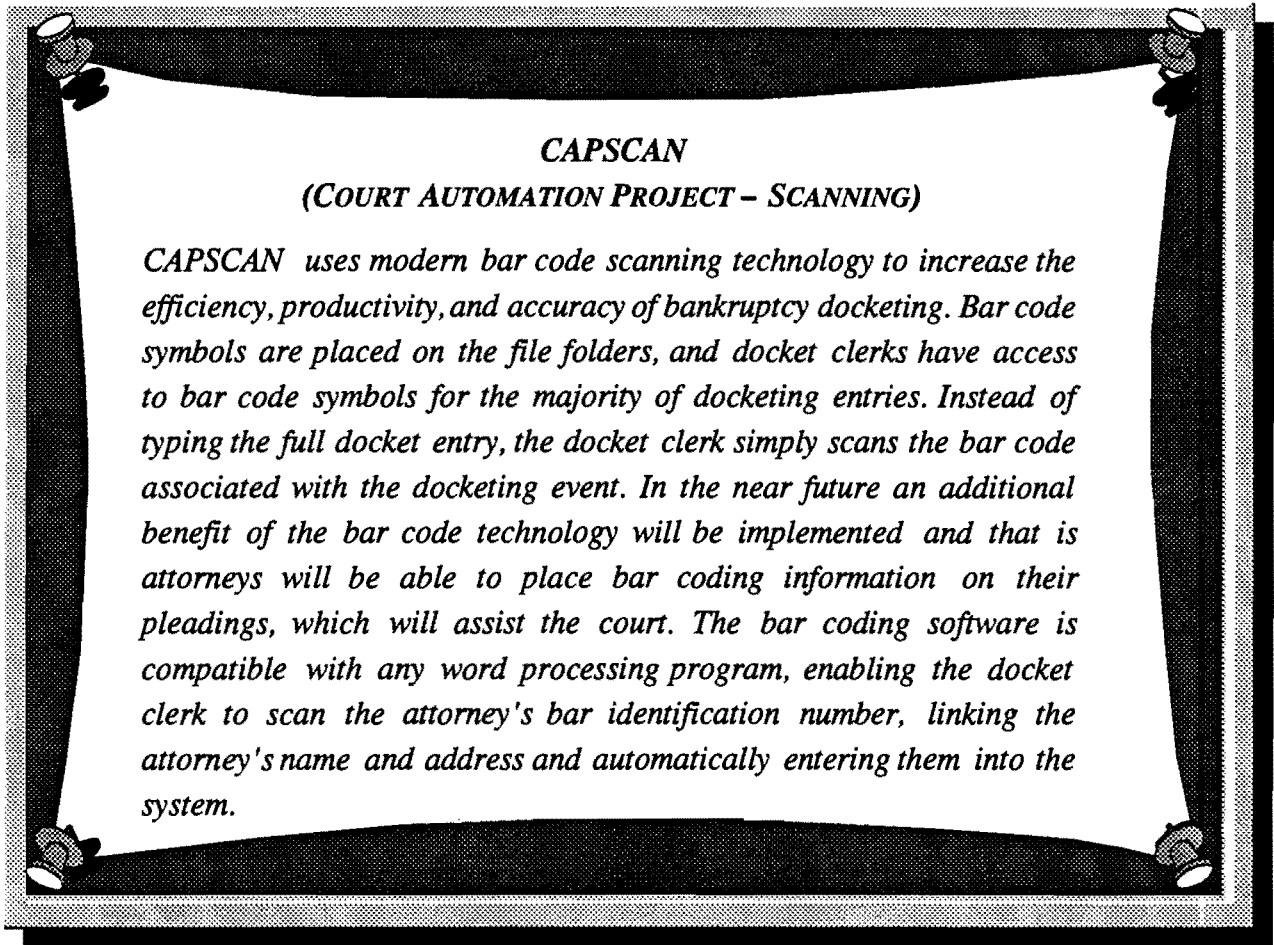
FAX Information System (for District & Bankruptcy Courts)

The FAX Information System is a storage system that holds documents for public access information. You can retrieve these documents through your fax machine by following these simple instructions:

1. Call the FAX Information System at (215) 597-0257 from your fax machine's handset.
2. You will hear three beeps.
3. Press START to receive a list of documents that are stored on the FAX Information System. This list will provide you with the document numbers needed to retrieve the public access information. When you decide which document you wish to retrieve, repeat steps 1 and 2, and then enter the two-digit code and press START.



AVAILABLE SOON FOR ATTORNEYS..



FOR MORE INFORMATION...

Please check the appropriate service(s) listed below and provide the indicated address information:

S E R V I C E S

District Court

- PACER (Civil/Criminal)
- Electronic Bulletin Board of Judicial Opinions
- Electronic Submission of Civil Documents
- Electronic Access to Civil Documents
- FAX Ordering (Civil)
- Credit Card Collection Network
- Automated Telephone Answering System
- Microfiche Reports
- Telephone Access for Hearing/Speech-Impaired

Bankruptcy Court

- PACER (Bankruptcy)
- Voice Case Information System Answering System
- FAX Ordering
- Credit Card Collection Network
- Microfiche Reports

District & Bankruptcy Courts (General)

- FAX Information System
- ALL OF THE ABOVE

A D D R E S S I N F O R M A T I O N

NAME _____

FIRM _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

PHONE () _____

FAX () _____

Send this completed form to...

**MICHAEL E. KUNZ, CLERK OF COURT
United States District & Bankruptcy Courts
2609 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797**

FAX: (215) 597-6390

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PUBLIC ACCESS
MISSION/NEEDS STATEMENT

MICHAEL E. KUNZ
Clerk of Court

February 10, 1995

The Judicial Conference has identified public access to court electronic records as a high priority within the United States court system automation program. Public access systems now have the ability to become self supporting and to make further public access advances possible. For these reasons, it is imperative that efforts be made to enhance present systems, introduce new systems and market all systems. Success in these areas will significantly impact the ability of local courts and the Administrative Office, to continue to move forward with the vital automation work that has been started.

The United States District Court for the Eastern District of Pennsylvania is a consolidated court with a distinguished automation record. Revenues generated by the Bankruptcy and Civil/Criminal PACER systems surpass almost every court in the country. A systems staff is in place that is both motivated and talented. The desire to improve and innovate is strong. Finally, I believe that providing outstanding public access, in this time of fiscal crisis, requires that court executives commit the brightest minds along with the best available resources to develop innovative systems, compatible with the needs of the public and the administrative and fiscal landscape.

This Public Access Mission Needs Statement has two major components. First, I propose that all public access applications are offered to the public from a menu driven integrated system. Once the integrated system is in place, I propose that a marketing program be implemented, aimed at increasing public awareness and use of the Integrated PACER System.

INTEGRATED PACER SYSTEM (iPACER)

The Eastern District of Pennsylvania intends to develop an Integrated PACER System (iPACER) which will centralize all public access applications in a network. This system will be integrated in terms of user availability. We plan to provide the public with one telephone number which will allow them to connect to a menu and in essence provide "one-stop-shopping". The menu will contain the following;

- Civil/Criminal PACER
- Bankruptcy PACER
- Bulletin Board of Judicial Opinions
- Local Rules
- JUST ASK - District Court Trial Pool Schedule
- Bankruptcy Court Hearing Schedule
- Electronic Filing System/Access to Electronically Filed Documents

All options will be available to users from one telephone number and one menu. The central file server will route the user through the public access network to the desired application. The use of a "chatter box" will take the place of designated telephone lines for individual systems. In this way, telephone lines used less frequently will be available for those more heavily used systems. Pooling resources in this way will result in increased public accessibility and increased system use. Each application server will be wired to the central server, thereby establishing the first integrated public access system in the Federal Courts.

All applications are operational with the exception of the Bankruptcy Court Hearing Schedule and the Local Rules Application. The Bankruptcy Court Schedule development began is scheduled to begin in March of 1995.

JUST ASK provides up-to-date information concerning the status of matters listed for trial. The schedule of Bankruptcy proceedings is currently being developed. This information is published daily, but because of deadlines is often times a day or two behind. Courtroom deputies will update their own trial pool as events occur. We expect that this application will be of great interest because on line updating will provide practitioners and the public with the most accurate information possible. This information is very marketable in this district and no doubt others.

We expect to incorporate the Local Rules into an existing system and have started this project. The application will be ready in early 1995.

The network software and configuration must be developed. It is my desire to develop the routing or menu software in house with existing systems staff. Staff have expressed an interest and willingness to take on this project but require Novell training prior to commencing the project. For this reason, I request that Novell training be made available to my staff at the earliest possible time. Novell authorized training centers are available in our area. Staff could enroll as soon as funds are available. Collaboration with AO or training center staff would be welcomed.

I am willing to commit the following personnel, part time, to this project because of its overall importance and potential;

- Systems Manager
- Project Manager
- Assistant Systems Manager
- PC Coordinator
- Computer Programmer
- Maintenance Technician

I am willing to commit the following equipment, currently in our possession to serve as iPACER network applications servers;

- Bankruptcy PACER 486
- Electronic Filing 386
- Fax Information System Fax Machine
- Bulletin Board System 386
- District Court Trial Pool/Bankruptcy Court Hearing Schedule 486

In addition we are able to commit;

- 14 telephone lines
- Space for network in our Computer Room
- printers as needed
- maintenance of the network
- system documentation for distribution to interested courts

I request the following support from the EPA Users Group and the AO;

- Novell Network Training for at least 4 staff members
- Additional telephone lines (at least 4 additional lines ...total 18 incoming lines)
- File server...486sx25
- JNL "Chatterbox" Communications Device for 20 incoming lines
- Wiring to the application servers
- Software development assistance
- Waiver to obtain Netware Version 3.12 20 user license
- Civil/Criminal Pacer Application Server...UNIX 486

MARKETING PROGRAM

Once iPACER is ready for implementation, the two tier marketing strategy will go into operation. First, we intend to inform and train active PACER users in the operation of the new PACER system and then we plan to target inactive users as well as prospective new users for registration.

As in any marketing strategy, many things will happen simultaneously. Initially, the focus will be on getting the word out that the PACER system has been improved and expanded and that information is available in written form. Releases to the press and media will be made. In this stage recruiting for the information and training seminars will begin.

We will develop and initially disperse written descriptions of the iPACER to the contact people identified in registration records. Intensive seminars will be offered during the three week period preceding system activation. Contacts will be encouraged to take the information back to their firms, businesses or user group.

We will, at the same time announce training seminars for interested individuals. These seminars will be scheduled during the two weeks prior to the activation of iPACER and will be available on an as needed basis for those unable to schedule training prior to start up. The object is to acquaint as many users as possible with the various options available so the "one system" user becomes familiar with the various options and makes use of them.

System design will take into account the fact that some users will be unable to attend a seminar prior to start up and will therefore include on line instructions to walk them through the menu driven network. The individual systems will not undergo revision, so on screen instructions will suffice for those individuals not attending a training seminar.

The schedule systems and the Local Rules are the only application additions. They are simple to use and should be understandable to new users.

After the current users are sufficiently recruited and operating, our efforts to expand the membership, will take priority. The second phase of the marketing strategy

involves recruiting new users from the legal and business communities as well as individual users. Initial efforts will identify potential users from groups likely to need the services we will be offering. Efforts will be made to include potential users in Integrated PACER New User Seminars. We also intend to offer seminars specifically scheduled for summer and new associates and work with the local firms and Bar Association to identify individuals and groups not registered for iPACER.

Efforts will be made to identify prospective users from the business community, such as collection agencies, credit rating services, and insurance company law departments, for example.

I am willing to supply;

- a Marketing Director
- the training staff
- the development of seminar materials
- coordination of seminars
- program documentation for distribution to interested courts

I request assistance to

- publish a professional quality guide to services,
- in securing lists of prospective users
- publish training manuals for seminar participants.

FISCAL CONSIDERATIONS

I will request authorization to charge the standard \$1.00 per minute fee for access to iPACER and all applications contained therein. The current fiscal crisis has negatively impacted automation efforts. Should this situation continue, automation progress made at considerable cost and effort, falls into jeopardy. It is my belief that this situation is unacceptable and contrary to prudent fiscal management. The need to evaluate and update existing systems is essential. It ensures that "overhauls", which result from neglect, however unintentional, are avoided.

For all these reasons, it is necessary to call on users to pay for access to and the convenience of the public systems. Without significant increases in automation appropri-

ations from Congress, future system health and vitality depends on public access system self sufficiency This should be accomplished as soon as reasonably possible. Should revenue sharing be adopted, all districts will have the incentive to pursue systems and marketing programs capable of increasing public access availability and usage. Districts will earn a measure of fiscal independence and contribute substantially to national automation priorities as identified, by the Judicial Conference, the EPA Users Group, and the AO.

CONCLUSION

These innovations will serve as a model for federal and state courts. It is our intention to pursue these goals and develop iPACER. Once developed, my staff will market iPACER with the goal of achieving an even higher level of use than we presently experience in PAE.

With your assistance, we can increase the pace of this undertaking and implement the system during 1995. We will also be in a position to offer our software and our expertise to interested district courts and thereby advance the public access objectives and goals established by the Judicial Conference.

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A1 United States District Court: Total Pending Civil Cases and Total Docket Entries, July 1, 1990 to December 31, 1992

MONTH	1990		1991		1992	
	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES
January			10,163	8,068	10,549	15,451
February			9,882	8,276	10,581	16,857
March			10,036	9,034	10,530	15,846
April			10,168	8,870	10,148	17,031
May			10,320	10,692	10,112	15,035
June			10,402	13,752	9,764	19,467
July	9,795	2,139	10,454	16,948	9,848	15,288
August	10,021	4,312	10,599	13,727	9,821	14,165
September	10,105	5,888	10,571	14,784	9,823	16,593
October	10,058	8,348	10,559	16,632	9,777	14,804
November	10,055	9,052	10,546	15,173	9,750	15,965
December	10,065	7,847	10,560	14,414	9,764	14,587
YEAR END TOTAL		37,586		150,364		191,089

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A2 United States District Court: Total Pending Civil Cases and Total Docket Entries, January 1, 1993 to December 31, 1994

MONTH	1993		1994	
	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES	TOTAL PENDING CIVIL CASES	TOTAL DOCKET ENTRIES
January	9,673	14,037	4,561	15,108
February	8,549	15,902	4,732	16,743
March	8,377	18,602	4,783	19,452
April	8,364	17,836	4,282	17,350
May	8,391	17,582	4,405	17,792
June	8,401	18,994	4,393	22,453
July	8,224	16,756	4,411	16,349
August	8,221	15,050	4,611	17,437
September	8,124	15,411	4,535	16,832
October	4,707	21,678	4,527	16,774
November	4,628	18,014	4,540	16,805
December	4,651	19,741	4,584	15,123
YEAR END TOTAL		209,603		208,218

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

**TABLE A3 United States Bankruptcy Court: Total Pending
Bankruptcy Cases and Total Docket Entries, January 1, 1992 to
December 31, 1992**

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	15,296	25,804	11,577
February	15,408	23,637	10,533
March	15,491	28,126	12,023
April	15,500	28,880	13,039
May	15,311	26,003	12,128
June	14,951	28,110	13,086
July	14,966	28,280	12,755
August	14,843	25,353	11,083
September	14,894	28,278	11,402
October	14,845	28,852	12,095
November	14,772	28,059	10,412
December	14,547	29,110	11,595
YEAR END TOTAL		328,492	141,728

A P P E N D I X

**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

TABLE A4 United States Bankruptcy Court: Total Pending Bankruptcy Cases and Total Docket Entries, January 1, 1993 to December 31, 1993

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	14,050	27,706	8,615
February	14,016	26,955	9,443
March	13,894	32,710	11,912
April	13,931	30,493	10,896
May	13,800	28,272	9,870
June	13,716	29,845	10,950
July	13,627	28,211	10,206
August	13,396	27,024	10,645
September	13,313	28,561	10,102
October	13,079	26,861	9,641
November	13,163	30,151	8,706
December	13,384	26,910	7,419
YEAR END TOTAL		343,699	118,405

A P P E N D I X

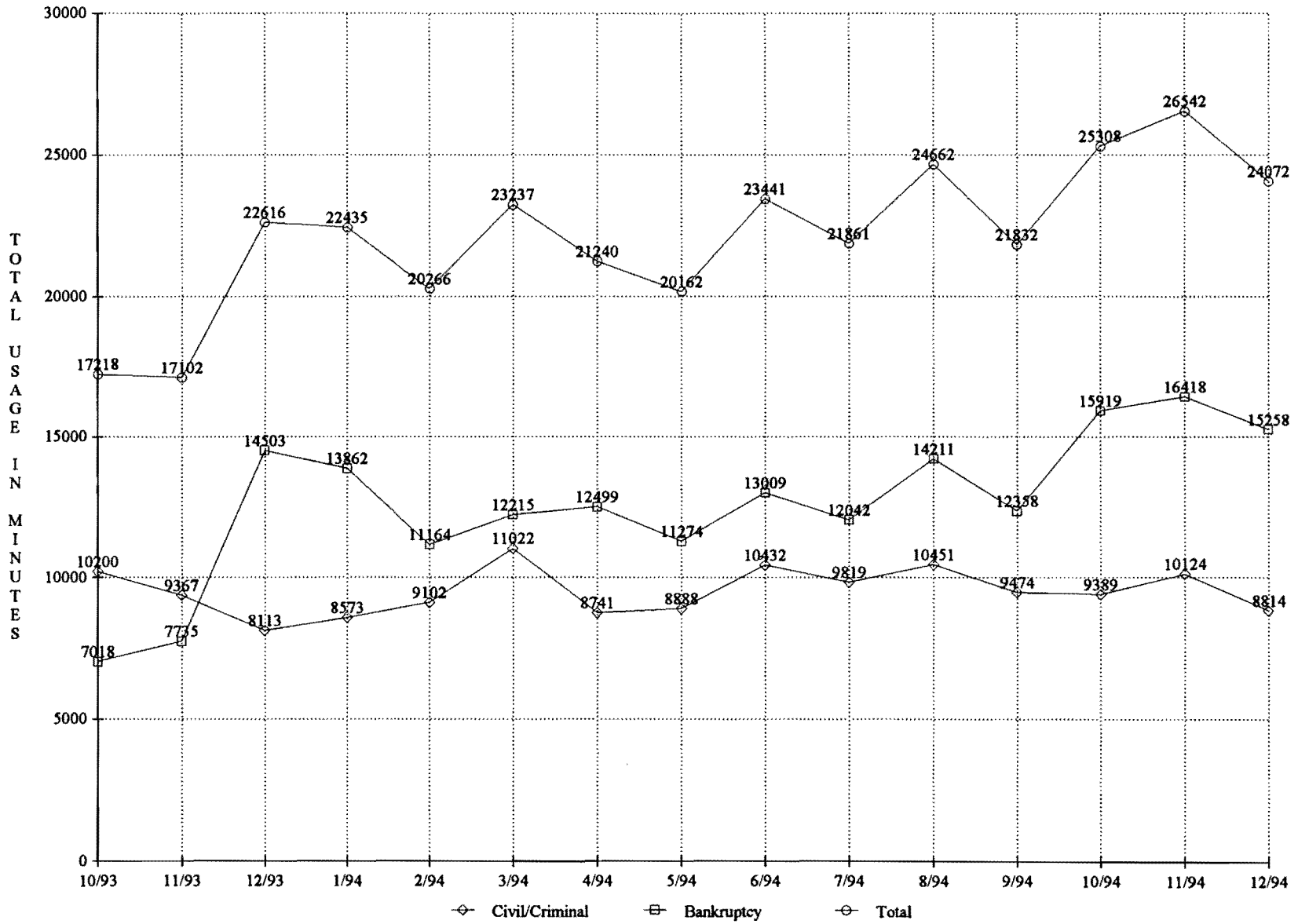
**Total Pending Cases and Total Docket Entries for
United States District and Bankruptcy Courts,
Eastern District of Pennsylvania**

**TABLE A5 United States Bankruptcy Court: Total Pending
Bankruptcy Cases and Total Docket Entries, January 1, 1994 to
December 31, 1994**

MONTH	TOTAL PENDING BANKRUPTCY CASES	TOTAL DOCKET ENTRIES	
		PHILADELPHIA	READING
January	13,179	23,583	6,959
February	13,118	26,778	6,202
March	13,057	32,167	8,325
April	12,972	27,307	8,388
May	12,676	30,558	8,485
June	12,657	29,325	8,552
July	12,842	25,131	8,008
August	12,717	29,078	8,997
September	12,913	28,807	8,050
October	12,756	27,385	7,990
November	12,672	27,439	8,367
December	12,390	25,830	7,853
YEAR END TOTAL		333,388	96,176

PACER USAGE REPORT

FROM 10/1/93 - 12/31/94



NOTICING

CURRENT	PROPOSED
Pleading received.	Pleading received.
Docketed.	Docketed.
Docket clerk prints labels.	Fax numbers, of all to be noticed, affixed to pleading.
Docket clerk goes to copy machine to make requisite number of copies.	Pleading placed in fax collection point in docketing area.
Docket clerk places copies and label in envelope.	Deputy clerk picks up fax work.
Envelope placed in mail bin for processing.	Step eliminated.
Bins picked up by mail clerk for processing.	Step eliminated.
Envelopes are weighed to determine postage.	Step eliminated.
Postage is affixed to envelope. (At least \$.32 postage per envelope.)	Step eliminated.
Envelope is placed in mail room bin.	Step eliminated.
Mail room bins are collected and taken to Post Office processing room in Courthouse.	Step eliminated.
Mail sent to parties to be noticed.	Deputy clerk sends notices. (At cost of approximately \$.09 per fax)*

* Price per fax based on study by Michael Greenwood, Administrative Office of United States Courts, Technology Enhancement Office, July 1994.

** 6 out of the 12 noticing steps are eliminated under the proposed fax noticing procedure.

FILING PROCEDURES

CURRENT	ELF	FAX
Pleading accepted at the front counter or mail and placed in the appropriate docket clerk's bin.	Pleading accepted in Statistics Office and forwarded to appropriate docket clerk's bin.	Pleading accepted from fax machine pool and forwarded to appropriate docket clerk's bin.
Not Applicable.	Capability for Court and parties to access the pleading electronically through the ELF system at this point in process.	Not Applicable.
Docketed.	Docketed	Docketed
Pleading placed on counter for 24 hours to ensure backup of electronic records completed.	Pleading placed on counter for 24 hours to ensure backup of electronic records completed.	Pleading placed on counter for 24 hours to ensure backup of electronic records completed.
Pleading forwarded to Court (if matter requires action) or file.	Pleading placed in case file.	Pleading forwarded to Court (if matter requires action) or file.
Pleading unavailable on request because in possession of the Court for action.	Not applicable.	Pleading unavailable on request because in possession of the court for action.
After Court action, original pleading returned by Courtroom Deputy to Records Room to be placed in file.	Not applicable.	After Court action, original pleading returned by Courtroom Deputy to Records Room to be placed in file.