

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re Application of The Legal Aid Society
of New York for a waiver of PACER-related
fees

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A TRUE COPY ATTEST	
DATED	20.....
ROBERT C. HEINEMANN	
BY	CLERK
<i>[Signature]</i>	
DEPUTY CLERK	

**ADMINISTRATIVE ORDER
2005-04**

WHEREAS the Court has implemented mandatory Electronic Case Filing (ECF) as of August 2, 2004, pursuant to Administrative Order 2004-08;

WHEREAS access to the Electronic Filing System at the Court's internet site requires an account with the Public Access to Court Electronic Records (PACER) electronic public access service;

WHEREAS, unless an exemption is granted, all registered agencies or individuals will be charged a user fee by PACER;

WHEREAS a Court may, for good cause shown, exempt persons or classes of persons from PACER electronic public access fees in order to avoid unreasonable burdens and to promote public access to such information;

WHEREAS a party must demonstrate both an unreasonable burden and the promotion of public access to information in order for the Court to grant an exemption from the payment of PACER electronic public access fees;

WHEREAS the Court has received an application by The Legal Aid Society of New York for a waiver of PACER electronic public access fees;

WHEREAS The Legal Aid Society is a § 501(c)(3) not-for profit law firm providing legal services to indigent clients in New York City, whose by-laws state that the organization's purpose is "to render legal aid to persons in New York City who are without adequate means to employ other counsel";

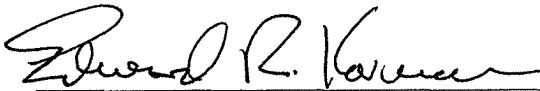
WHEREAS the Society regularly appears in numerous cases before the District Court for the Eastern District of New York, and is concerned about the budgetary impact of increasing costs of electronic public access fees as new cases come before ECF judges;

WHEREAS PACER electronic public access fees cannot be passed on to clients of the Society because the Society's clients are indigent and do not pay for the cost of legal representation;

WHEREAS a waiver of PACER electronic public access fees would avert this unreasonable burden on client services and promote access by indigent clients to public information;

IT IS HEREBY ORDERED that the application by The Legal Aid Society of New York for a waiver of PACER electronic public access fees is hereby GRANTED.

Dated: New York, New York
 February 17, 2005



EDWARD R. KORMAN
Chief Judge