

**U.S. DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

**GUIDELINES PERTAINING TO REQUESTS FOR EXEMPTION FROM
PAYMENT OF THE ELECTRONIC PUBLIC ACCESS FEE PRESCRIBED BY ITEM (I)
OF THE ELECTRONIC PUBLIC ACCESS FEE SCHEDULE**

Effective January 1, 2005

The following guidelines apply to all requests for exemption from payment of the electronic public access fee prescribed by Item (I) of the Electronic Public Access Fee Schedule (effective January 1, 2005).

1. A request for exemption from payment of the electronic public access fee prescribed by Item (I) of the Electronic Public Access Fee Schedule shall be made by written submission using either the form *Motion for Exemption from Payment of the Electronic Public Access Fees*, or submitting other documents that provide all of the information required by such form.
2. Under Judicial Conference Guidelines, the Court may exempt indigents; bankruptcy case trustees; individual researchers associated with educational institutions; courts; section 501(c)(3) not-for-profit organizations; and pro bono ADR neutrals from payment of these fees. The Court must find that applicants from within these classes of persons or entities seeking exemption have demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Exemption is not granted solely on the basis of the applicant belonging to one of the identified groups.
3. The Judicial Conference has indicated that the Court should not exempt local, state or federal government agencies, members of the media, attorneys or others non members of one of the groups listed above. Exemptions should be granted as the exception, not the rule.
4. Motions for exemption from payment of the electronic public access fee shall comply with the general requirements set forth in the District and Bankruptcy Court Local Rules and shall include the movant's name, address, telephone number, WebPACER account login name, Idaho State Bar identification number, if applicable, and certification under penalty of perjury that the statements and information set forth in the motion and supporting documents is true and correct to the best of his/her knowledge, information, and belief.
5. Because individual qualifications provide the basis for granting an exemption from payment of the electronic public access fees, each WebPACER user must separately request and satisfy the necessary criteria themselves to qualify for an exemption from payment. Exemptions will apply to *qualified, individual* WebPACER users only and will not extend to other WebPACER users within the same firm or office.
6. Motions for exemption from payment of the electronic public access fees shall be accompanied by any required supporting documentation.
7. The burden of proving a party's entitlement to an exemption from payment of electronic public access fees rests with the party.
8. Motions shall include the movant's acknowledgment and agreement that data, dockets, reports, and documents obtained using a fee exempt account are for use only as approved by the Court and will not be sold for profit, transferred, or otherwise provided to third parties.

**UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

**MOTION FOR EXEMPTION FROM PAYMENT OF THE
ELECTRONIC PUBLIC ACCESS FEES PRESCRIBED BY ITEM
(I) OF THE ELECTRONIC PUBLIC ACCESS FEE SCHEDULE**

1. The Judicial Conference has prescribed fees for electronic access to court data, as stated in Item (I) of the Electronic Public Access Fee Schedule. The fee for electronic access to court data via a federal judiciary Internet site is \$.10 per page (effective April 1, 2012) and applies to court data viewed remotely from the public records of individual cases in the court, including filed documents and the docket.

2. Movant's identifying information:

Name: _____ Address: _____

Telephone Number: _____ WebPACER Account Login Name _____
WebPACER Login: _____ (Need to apply for an account at PACER
Service center before submitting this application - - <http://www.pacer.psc.uscourts.gov/>)
Idaho State Bar Number: _____

Please fill out either section 3 or section 4, as applicable

3. As a result of official work performed for the U.S. District and Bankruptcy Court for the District of Idaho, the Movant asserts that payment of electronic access fees in the performance of his/her official duties, would impose a financial burden upon the Movant.

- a. Movant is:
- A bankruptcy case trustee. An ADR or Pro Bono Panel member
 A CJA Panel member

Movant understands that any exemption from payment of electronic public access fees granted as a result of this motion is only for access related to the purpose for which it is given, and agrees to use his/her fee exempt account only in connection with the performance of his/her duties as approved by the Court. Movant agrees to make arrangements to establish a billable account with the PACER Service Center for access not related to performance of his/her duties approved by the Court and understands that it will be responsible for using the appropriate account.

4. a.. Movant is:
- Indigent Individual researcher associated with educational institution
 A court Section 501(c)(3) not-for-profit organization
 Other (describe) _____

- b. Movant understands that being a member of the above named group does not automatically qualify for PACER fee exemption. Good cause for exemption is shown as follows:

Movant understands that any exemption from payment of electronic public access fees granted as a result of this motion is only for access related to the purpose for which it is given, and understands that it will be responsible for using the appropriate account.

5. Movant agrees not to sell for profit, transfer, or otherwise provide data, dockets, reports, or documents obtained using its fee exempt account to third parties.
6. Movant understands that an exemption from payment of electronic public access fees may be revoked at any time at the Court's discretion.

WHEREFORE, Movant prays for an order exempting him/her/it from payment of the electronic public access fees prescribed by Item (I) of the Electronic Public Access Fee Schedule for a period of 12 months.

I declare (or certify, or verify, or state) under penalty of perjury under the laws of the United States of America, that the foregoing statements and information are true and correct to the best of my knowledge, information, and belief.

Dated:

Movant Signature _____

* Please submit completed motion via e-mail to: stuart_kaylor@id.uscourts.gov (preferred)

or mail to: U.S. District Courts 550 W Fort St. Boise, ID 83724

FOR COURT USE ONLY - Motion assigned No. _____

**UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

**ORDER GRANTING EXEMPTION FROM PAYMENT OF THE ELECTRONIC
PUBLIC ACCESS USER FEE PRESCRIBED BY ITEM (I) OF THE
ELECTRONIC PUBLIC ACCESS MISCELLANEOUS FEE SCHEDULE TO:**

[Insert Movant's name and WebPACER account login name below]

Movant's Name

(WebPACER account login name:)

This matter comes before the Court upon a Motion to Request An Exemption from payment of electronic public access user fees prescribed by Item (I) of the Electronic Public Access Fee Schedule (effective January 1, 2005).

Payment of electronic public access fees will impose an unreasonable burden on Movant and/or the granting of an exemption from payment will promote public access to information. Cause having been shown by the motion and supporting documents, if any,

IT IS ORDERED that Movant is granted an exemption from payment of the electronic public access user fee prescribed by Item (I) of the Electronic Public Access Fee Schedule for the period _____ to _____ for access approved by the Court. Movant shall make arrangements to establish a billable account with the PACER Service Center for access not related to performance of his/her duties.

IT IS FURTHER ORDERED that data, dockets, reports, and documents obtained using a fee exempt account shall not be sold for profit, transferred, or otherwise provided to third parties. The Clerk of Court, or the Clerk's designee, shall provide copies of this order to Movant and the PACER Service Center.

Dated:

Stephen W. Kenyon, Court Executive
by authority of Chief Judges, District of Idaho