Publicly accessible and reliable government information is vital to our democracy. The American Association of Law Libraries (AALL) strongly believes that information available on government websites should be free of charge.

Since the 1990s, the federal judiciary has made court records available for a fee through PACER, an electronic public access service that allows anyone who registers to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and the PACER Case Locator via the Internet. PACER is funded by user fees, which are applied to all users of the service unless they are waived by a court. There is an exception to these charges for “written opinions” of courts.

In 2006, AALL approved a “Resolution on No-Fee FDLP Access to PACER” that has been instrumental in getting the Administrative Office of the United States Courts (AOUSC) to work with the U.S. Government Publishing Office (GPO) to increase no-fee access to PACER at federal depository libraries. Most recently, the AOUSC, GPO and AALL established a PACER: Access and Education Program to increase use of PACER at federal depository libraries, public law libraries, and public libraries. Participating libraries, which are asked to create PACER educational materials and training guides, are exempt from the first $50 of quarterly usage charges.

AALL encourages Congress to:

- **Continue to pursue a variety of avenues to improve public access to federal court information.** AALL encourages Congress to continue to work with the Judicial Conference of the United States to ensure that federal courts have complied with the transparency and privacy requirements of the *E-Government Act of 2002* (P.L. 107-347).

- **Promote no-fee access to PACER.** Section 205(e) of the *E-Government Act* changed a provision of the Judicial Appropriation Act of 2002 (28 U.S.C. 1913 note) to state that the Judicial Conference “may, only to the extent necessary,” (instead of “shall”) charge fees “for access to information available through automatic data processing equipment.” In order to offer all Americans the same level of access to information from the federal courts as they have from Congress and federal agencies, Congress should give adequate funding to the AOUSC to provide the public with no-fee access to PACER.

- **Support the collaborative PACER: Access and Education Program between the AOUSC, GPO and AALL to expand access to and use of PACER.** The Law Library of Congress and the Law Library for San Bernardino, California participated in the successful initial testing of the program. The program is now open to any Federal depository, public law library or public library.