

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

In Re: Application for Exemption from the	§	
Electronic Public Access Fees for	§	Misc. Case No. 14-mc-0211
Elisabeth L. Owen, Managing Director,	§	
Prisoners' Justice League of Colorado	§	<u>Second Amended Order</u>
LLC		

This matter is before the Court's Determining Officer, as authorized and delegated from the Clerk of the Court and the Chief Judge, upon the application and request by Elisabeth L. Owen, Managing Director, Prisoners' Justice League of Colorado LLC. She requests an exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States.

The Determining Officer finds that Ms. Owen has entered her appearance as a pro bono attorney in multiple prisoner civil rights cases representing indigent parties, formerly as the Executive Director and Managing Attorney of the Colorado Prison Law Project, and will continue to do so in the future as Managing Director for the Prisoners' Justice League of Colorado LLC. Her continued representation of indigent prisoners on a *pro bono basis* justifies designation of herself and the organization as within the class of users listed in the fee schedule as eligible for a fee exemption. Ms. Owen has confirmed for this Determining Officer's satisfaction that an exemption for herself, on behalf of the Prisoners' Justice League of Colorado LLC, is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, Attorney and Managing Director Elisabeth L. Owen of the Prisoners' Justice League shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this court, to the extent such use is incurred in the course of Ms. Owen's appearances as a *pro bono* attorney in civil cases in the District of Colorado, as well as for the purpose of researching lawsuits to determine whether the League will provide pro bono representation, or in furtherance of existing pro bono representation.

Additionally, the following limitations apply:

1. This fee exemption applies only to Elisabeth L. Owen, Managing Director of the Prisoners' Justice League and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic case files that are available through the PACER system.
3. By accepting this exemption, Ms. Owen agrees not to sell for profit any data obtained as a result of receiving this exemption; nor to transfer any data obtained as a result of the exemption, without express authorization by the court.
4. This exemption will remain valid and continuing on the condition that the Prisoners' Justice League maintains an active, pending civil pro bono caseload in the District of Colorado.
5. This exemption should be effective *nunc pro tunc* to the date of April 1, 2013.
6. Ms. Owen, as the fee exemption holder, shall notify the court and the PACER Account Service Center when the Prisoners' Justice League is no longer appearing in District of Colorado cases on a pro bono basis.

This exemption may be revoked at the discretion of the Court through the Determining Officer at any time. A copy of this Order will be sent to the PACER Service Center.

Dated at Denver, Colorado this 13th day of February, 2015.

By: s/Edward P. Butler
Edward P. Butler, Determining Officer
U.S. District Court, District of Colorado