

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. 15-mc-206 |
| Professor Stephen P. Ehrlich, Univ. of | § | |
| Denver Sturm College of Law | § | |

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 Nov. 12, 2015 application and request by Professor Stephen P. Ehrlich, of the University of Denver's Sturm College of Law, Master of Science in Legal Administration Program. Professor Ehrlich requests an exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Determining Officer finds that Prof. Ehrlich, as an individual researcher associated with an educational institution, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Professor Ehrlich states that he will be doing research on how to better analyze publicly available information to provide recommendations to courts on how to improve caseload management practices. His research will be in the nature of a general overview and analysis in order to develop generic methodology to be used when evaluating the caseload management practices in any court. Prof. Ehrlich has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information, and he has appropriately demonstrated this fact to this Determining Officer. Accordingly, Professor Ehrlich shall be exempt from the payment of fees for access via PACER to electronic case files, to the extent such use is incurred in connection to his use of the PACER system for research purposes. He shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court.

Additionally, the following limitations apply:

1. This fee exemption applies only to Professor Stephen P. Ehrlich and is valid only for the purpose 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, Professor Ehrlich 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 is valid from the date of this order to **December 31, 2016**.

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 29th day of November, 2015.

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

Stephen P. Ehrlich
426 Madison St.
Denver, CO 80206
Ehrlich14@aol.com
303-514-1284

Nov. 12, 2015

Edward Butler
Legal Officer
District of Colorado

Dear Mr. Butler,

In accordance with the policy set for the United States Judicial Conference, I hereby request and exemption from PACER fees for a period of time commencing Jan 1, 2016 through June 1, 2016. As an adjunct Professor at the Strum College of Law in its Master of Science in Legal Administration Program, I will be doing research assisted by students as to how we could better analyze publicly available information in order to make recommendations as to how a court might go about improving its caseload management practices.

This information will not be redistributed to others. I also anticipate that the need for PACER access will not be all that extensive since we plan to look at what types of reports are generally available via PACER as opposed to extensively viewing individual docket sheets and documents.

Furthermore, we are not doing a specific study of the District of Colorado, but a more general overview and analysis in order to develop generic methodology to be used when evaluating the caseload management practices in any court.

I thank you in advance for consideration of this request

Sincerely,
s/Stephen P. Ehrlich
Stephen P. Ehrlich
Adjunct Professor
Strum College of Law
M.S.L.A. Program