

Pacer Stumper

There is a Pacer utility that sends me an email each time there is a filing in a case I am interested in. I currently get reports on several such cases.

I tried to add another case to my list, but I cannot for the life of me find the menu or function that lets me do it.

Does anyone know if anything happened to this? The case is in SDNY, if it matters

This is actually an ECF setting rather than a pacer setting. Make sure you login with your ECF login for that district, because if you login with your pacer account your options to change things are limited. Where to find things varies from district to district, but I would expect to find this in the same part where you can change your email address.

Lesley Hoenig, Michigan

Thanks. Found it. They really manage to hide it well

Patrick W. Begos, Connecticut

Login using your CM/ECF login & password - NOT PACER - for the court/district in which the cases that you want to follow are pending.

CM/ECF is both court specific and 'practice' specific (bankruptcy, district, or appellate). For instance, if you have filing privileges in the Southern District of NY (bankruptcy), but the cases you want to follow are in Northern District NY (district) where you don't have privileges, you won't be able to track the case. For that matter, if you have BK privileges in the Southern District of NY but want to track a Southern District district court case, you will need a different login.

Using your CM/ECF login & password
go to Utilities
under Your Account, choose Maintain Your ECF Account
under the fill-in fields you'll see Email information - click
make appropriate changes/additions, click Return to Account Screen
click Submit (under Email information)
log out

Pamela Starr the Paralegal

SoloSez Popular Threads, September 2014

What you say is correct, but let's flesh it out a bit. I know what the answer to my question used to be, but I haven't checked in several years.

Suppose I want to get the NEFs for the same case that Patrick does, a case in SDNY. To do so, I need to have CM/ECF privileges. However, unlike Patrick, I'm not admitted to SDNY. At least as I understand it, I can't get CM/ECF privileges for SDNY unless I'm admitted to that district. (Ignore pro hac for this purpose.) Is that still correct?

If so, it's really silly, and may be an argument that, as bad as PACER is, this function should be moved from CM/ECF to PACER. Given that all this does is provide the NEFs, one still has to pay the PACER fees to view/download the document if one is not an attorney of record in the case, why shouldn't I (or anyone) be able to follow any case I want, in whatever federal court I want? (That question isn't really for you, it's just another way that the system is flawed.)

James S. Tyre, California

I suspect the reason this is an ECF option instead of a PACER option is because of the amount of money PACER would lose if this was an option and everyone could have free looks emailed to them. It would be nice for this to be an option without having to have an ecf account though.

Lesley Hoenig

You don't get free looks this way.

The system will send out email notices of any case you want, and the notice looks exactly like an ECF notice (because it is). But if you click on the link to see the document, you're required to log into Pacer and agree to pay whatever the fee is.

It actually would probably end up making them money, because more people would look at more documents.

Maybe it has something to do with the system used to send ECF notices. Maybe they would have to re-create that system to send filing notices to Pacer subscribers.

Patrick W. Begos

SoloSez Popular Threads, September 2014

That's not really correct. I use the feature for a number of cases. Even though it's done through CM/ECF, I have to pay PACER fees if I want to look at the document linked in the NEF (assuming I'm not one of the lawyers of record, then I get a free look).

Pamela, thanks for your note, but my question may not have been clear. The question is whether I can get a CM/ECF account for any (federal) court, or only for those in which I'm admitted to practice. I think it's the latter, which limits the utility of the feature, but I haven't checked in a long time.

James S. Tyre

CM/ECF is tied to your bar number and admission to practice before the court. The answer to your question is most probably 'no'; however, you can always call the clerk and ask if there is some form of reciprocity.

Lesley,

The system only send out notices to parties, parties-in-interest, and those requesting notice. You can set up your various ECF accounts to send *all *the notices that your receive to anyone you designate.

Pamela the Paralegal

I stand corrected.

As for getting an ecf login in districts where you aren't admitted, most, if not all districts (in bankruptcy court anyway, probably not going to happen at the district court) provide creditors with a creditor login just so they can file claims (and that will be all they can access). Though increasingly, that is less necessary as there are ways to file claims with at least some districts that don't require an ecf login.

Lesley Hoenig

Some ecf systems, as pointed out by Patrick let you monitor a case without filing an appearance (even as a party in interest), in which case you would be receiving notices without being a known party to the case.

The Detroit Bankruptcy has its own listserv that anyone can sign up for to know what's going on. Given the number of documents actually filed on ECF for that case, I don't think anyone that isn't actually litigating anything in the case would want to receive an email for every single filing, because of just how many emails they would be receiving.

Lesley Hoenig

SoloSez Popular Threads, September 2014

Anyone can follow mega cases - they are often set up by the court for non-PACER access or you can follow on the claims' agent's website.

As for 'some ecf systems' allowing access; it's still limited to access by attorneys with ECF privileges for that court. You can only add cases under the Utilities function for courts in which you have e-filing privileges.

Pamela the Paralegal

Some bankruptcy courts give creditors ecf logins (with very limited ability to do anything) as I said before (and no this is not an attorney login that I'm talking about).

Lesley Hoenig

You're right, they'll let non-attorney creditors and non-admitted attorneys representing creditors file proofs of claim (or is it proof of claims? ugh!). To the best of my knowledge and experience, this does not get you on the list for NEFs.

Pamela the Paralegal

FWIW, I recently referred an off list acquaintance to engage Pamela, as she is amazing at BK in most jurisdictions. My friend is thrilled beyond words with the time saved by having a virtual paralegal handling so much of the standard work - I know nothing about BK and want to know even less.

Vicki Levy Eskin, Florida

Not on its own, but considering it is something that would be done in settings (which in Eastern District of Michigan, I can't find anything that allows one to do this unlike other districts have ECF logins for), I would be surprised that in districts that allow you to do this that someone with a creditor ecf login wouldn't be able to do it, since it isn't the filing of a document but just getting added to an email distribution list.

Lesley Hoenig

SoloSez Popular Threads, September 2014

Some jurisdictions have blocked user access to the Utilities option. In Central District of California, either the attorney or I would have to email update requests to the ECF desk. Direct access was only recently added.

Most courts will allow you to paper file a Request for Courtesy NEF. It could be (if you know who to ask) that you can get a one-of filing waiver to e-file it. The downside is that you lose your anonymity.

Pamela the Paralegal

Thank you for the referral and that glowing recommendation! We all like signing on new clients - mine just happen to be attorneys :)
I think my favorite part of the process is the Aha! moment (and the deep sigh of relief) when an attorney realizes that I (or almost any virtual paralegal or assistant) can provide the assistance they need. It's especially true for those of us who support federal practices (IP, immigration, bankruptcy, SSDI, etc.) - we don't need to be in the same state as the attorneys we support.

:)

Pamela the Paralegal
