UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN AND WESTERN DISTRICTS OF ARKANSAS

General Order Number 18

The Judicial Conference of the United States has mandated that courts must assess the public access user fee for case related data, case documents and docket sheets that are accessed electronically via the Court's Internet web site as provided for in Bankruptcy Court Fee Schedule Item (23) and as adopted by the Judicial Conference of the United States pursuant to 28 U.S.C. § 1930.

Bankruptcy Court Fee Schedule Item (23) provides that the "[C]ourt may, for good cause, exempt persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information."

Appendix I to the Bankruptcy Court Fee Schedule provides that the Court may exempt bankruptcy case trustees from the fees.

Bankruptcy Court Fee Schedule Item (23) and Appendix 1 to this Fee Schedule provide that the Court may exempt persons or classes of persons in addition to bankruptcy case trustees as set forth therein.

The PACER Service Center is responsible for providing registration, billing and technical support to PACER customers.

NOW, THEREFORE, IT IS ORDERED that:

1. For good cause, the United States Trustee and all trustees appointed pursuant to 28 U.S.C. § 586 and serving in cases before the Court shall be exempt from the fees prescribed in Item (23) of the Bankruptcy Court Miscellaneous Fee Schedule for case related data, case documents, and docket sheets that are accessed electronically via the Court's Internet web

site for trustee work. A current list of applicable persons is attached to this order.

2. Each United States Trustee and all other trustees shall make arrangements timely to establish an exempt account for trustee work with the PACER Service Center and, as required, shall make arrangements timely to establish a billable account for non-trustee work.

3. Each United States Trustee and all other trustees will be responsible for using the appropriate account.

4. The PACER Service Center will establish an account for each United States Trustee and all other trustees who require a billable account for non-trustee work in addition to an exempt trustee account for trustee work

5. The Clerk of Court, or the Clerk's designee, will be responsible for: (a) establishing, maintaining and updating a listing of United States Trustee and all other trustees who are exempt from the fees set out in this General Order, and (b) providing the PACER Service Center with a copy of this General Order and listing, including updates.

6. Exemptions for Other Parties

   (a) Upon motion by a party, the Court may consider the granting of an exemption from the fees prescribed in Item (23) of the Bankruptcy Court Miscellaneous Fee Schedule for case related data, case documents and docket sheets that are accessed electronically via the Court's Internet web site. The motion should demonstrate the basis upon which the party claims such exemption.

   (b) The standards established by Congress are: to avoid unreasonable burdens and to promote public access to such information.

   (c) The party should demonstrate that both standards have been met before the court will grant the requested exemption.

   (d) The Clerk of Court, or the Clerk's designee, will provide a copy of the order granting the requested exemption to the PACER Service Center so that the party will not be billed for use of the electronic access service.

7. This order shall take effect on December 1, 2001.

Dated: August 30, 2001

James G. Mixon
Chief U.S. Bankruptcy Judge

Robert F. Fussell
U.S. Bankruptcy Judge

Mary Davies Scott
U.S. Bankruptcy Judge