

HOW CAN I GET INFORMATION ABOUT A CASE?

Case information may be obtained by using one of the court's automated case information systems, or by telephoning, writing, or visiting the Clerk's Office.

A. *Obtaining Case Information From an Automated Case Information System*

To permit you around-the-clock access to case information, the Clerk's Office has installed three automated case information systems.

1. The U.S. Bankruptcy Court for the Eastern District of California's Voice Case Information System, or e-CalVCIS, uses a computer-generated synthesized voice device to read case summary information directly from the court's computer in response to touch-tone telephone inquiries. E-CalVCIS is provided free of charge and may be accessed by dialing (916) 498-5583 or (916) 498-5584. Additional information concerning e-CalVCIS may be obtained at any divisional Clerk's Office, and is available on our Internet web site at www.caeb.uscourts.gov.
2. The U.S. Bankruptcy Court for the Eastern District of California's dial-in Public Access to Court Electronic Records information system, or e-CalPACER, permits the use of any terminal or computer, a modem, and communications software to dial the court's computer and access lists of newly filed cases, case summary information, and docket entries made during the past six (6) months. E-CalPACER is currently provided free of charge. In the future, e-CalPACER users may be charged \$.60 per minute for usage of electronic access to court data via dial-in service. You must have a login-id and password issued by the court to access the e-CalPACER system. Additional information concerning e-CalPACER may be obtained at any divisional Clerk's Office, and is available on our Internet web site at www.caeb.uscourts.gov.
3. The U.S. Bankruptcy Court for the Eastern District of California's Internet Public Access to Court Electronic Records information system, or e-CalWebPACER, provides public access to bankruptcy case information and imaged documents in the court's Electronic Case Files (ECF) system on the Internet. E-CalWebPACER is currently provided free of charge. In the future, e-CalWebPACER users may be charged \$.07 per page for usage of electronic access to court data obtained through a federal judiciary Internet web site. You must have a login-id and password issued by the court to access the e-CalWebPACER system. Additional information concerning e-CalWebPACER may be obtained at any divisional Clerk's Office, and is available on our Internet web site at www.caeb.uscourts.gov.

B. *Obtaining Case Information By Telephoning the Clerk's Office*

Basic case information that you are unable to access using an automated case information system may be obtained free of charge by calling the divisional Clerk's Office in which the

case is pending during the hours indicated below.

Sacramento Division

9:00 a.m. to 4:00 p.m.
(916) 930-4400

Modesto Division

9:00 a.m. to 4:00 p.m.
(209) 521-5160

Fresno Division

9:00 a.m. to 4:00 p.m.
(559) 498-7217

As a general rule, all information other than basic case information requires a physical search of the court's records. If a physical search of the court's records is required, you must pay a \$20.00 search fee for every name or item to be searched before the Clerk's Office will provide the requested information. Requests for information subject to the search fee should be made in writing. You may, however, obtain the information free of charge in most cases by coming to the Clerk's Office and conducting your own search.

C. Obtaining Case Information By Writing the Clerk's Office

To obtain case information by mail, send a written request containing the case number, the case name, the information you request, your name, address, a telephone number where you can be reached during business hours and the best time to call, with a self-addressed, stamped envelope. Written requests for information requiring a physical search of the court's records should be accompanied by a cashier's check, certified check, or money order sufficient to cover the applicable search fee.

D. Obtaining Case Information By Visiting the Clerk's Office

As a general rule, all documents in the court's case files and all court dockets are public record and available to the public for inspection. Files and dockets may be reviewed at the Clerk's Office public counters during business hours.

Effective March 1, 1999, all new cases and, with the exception of proofs of claim, all documents filed in cases and proceedings pending on that date have been scanned into the Court's new Electronic Case Files (ECF) system. Images of these documents, as well as proofs of claim presented for filing in cases filed on or after March 1, 1999, may be viewed and printed from computer terminals located in the public and attorney service counter lobbies at all three divisional Clerk's Offices. Until such time as suitable arrangements can be worked out with coin operated copier vendors to provide printing services, the first five pages of a print request for imaged documents will be free. Thereafter, pursuant to requirements of the U.S. Judicial Conference Fee Schedule, a fee of \$.50 per page will be charged for each printed copy.⁴ An additional fee of \$7.00 per document will be charged for certified copies. Instructions for viewing and printing document images are located at each terminal and are available 'on-line.'

Because the entire file is available to the public from Clerk's Office lobby computer terminals, **paper files for cases and proceedings filed on or after March 1, 1999, will**

⁴ Payment is due at the time documents are printed and shall be made in the form of cash, money order, cashier's check or attorney's trust account check. The Clerk's Office **will not accept personal checks or make change**. Cash payments must, therefore, equal the amount due.

not be routinely pulled for review.⁵ If after reviewing the electronic file for a case you wish to see the paper files, you must complete a *File Request Card (Form EDC 207)* and the file will be made available for your review the beginning of the next business day. You must present your driver's license or other appropriate form of identification to review a paper file.

For all cases and proceedings filed prior to March 1, 1999, the Clerk's Office will pull the paper files upon request. However, if the documents you wish to review in these cases and proceedings were filed on or after March 1, 1999, they are available on the ECF system and you may find it advantageous to view them from the lobby terminals.

When reviewing hard copy (paper) files, please remember that not all documents are located in the main, or "parent," bankruptcy case file. Adversary proceedings, chapter 11 monthly operating reports, some motions for relief from automatic stay filed in chapter 11 cases, and proofs of claim filed in chapter 11 cases are kept in separate file folders. In chapter 7 and chapter 13 cases, proofs of claim are generally found on the left side of the first volume of the parent case file folder. However, due to their number, they are at times kept in separate file folders. Paper documents are placed in file folders from the bottom up in chronological order. In other words, the document initiating the case will be the one on the bottom of the first volume of the hard copy file.

UNDER NO CIRCUMSTANCES MAY YOU REMOVE FILES FROM THE FILE REVIEW AREA OR REMOVE DOCUMENTS FROM FILES. All files must be returned in proper order. The Clerk's Office is the keeper of the court's records and is responsible for maintaining their accuracy and integrity. Removal of files from the file review area, removal of documents from files or failure to return files in proper order will be deemed sufficient grounds to refuse to provide you with additional files.

The court docket is a list of brief entries made to record the activity in a case. It contains information concerning the parties involved, filing fees paid, deadlines set, hearings held, and documents filed in the case. For each order and judgment filed, the date the order or judgment was recorded, or entered, on the docket is indicated. Documents are listed on court dockets in chronological order from the top down. The document initiating the case will be the first one listed below the names and addresses on the first page of the docket.

Electronic dockets may be viewed and printed from the computer terminals in the Clerk's Office lobby. There is a \$.50 per page charge for printed dockets. Printed dockets may be picked up at the public counter. Partial dockets may be viewed and printed by entering beginning and ending dates when requesting the docket.

⁵ In the Sacramento Division, paper files for bankruptcy cases beginning with case number 99-22717 and adversary proceedings beginning with adversary proceeding number 99-2126 will no longer be routinely pulled. In the Fresno Division, paper files for bankruptcy cases beginning with bankruptcy case number 99-11776 and adversary proceedings beginning with adversary proceeding number 99-1063 will no longer be routinely pulled. In the Modesto Division, paper files for bankruptcy cases beginning with case number 99-90861 and adversary proceedings beginning with adversary proceeding number 99-9026 will no longer be routinely pulled.

Electronic dockets for cases filed prior to August 20, 1990 list only the events docketed on or after January 4, 1993. All events docketed prior to January 4, 1993 are listed on a paper, or "hard copy", docket for the case. In order to review the complete docket in one of these cases, you will need to request that it be pulled.

Due to limited storage space, closed case files and "hard copy" dockets are archived by periodically shipping them to the Federal Records Center in San Bruno, California for storage. Files and dockets stored at the Federal Records Center may be recalled to the Clerk's Office and reviewed in the Clerk's Office file review area. A \$25.00 fee will be charged for each record retrieved from the Federal Records Center by the Clerk's Office. This fee must be paid before the Clerk's Office will recall a record.

Alternatively, you may travel to the Federal Records Center in San Bruno to review the archived file or docket. All personal visits to the Federal Records Center are by appointment only. Appointments may be made by calling (650) 876-9001 between 7:15 a.m. and 3:00 p.m., Monday through Friday (except federal holidays), and must be requested at least 24 hours in advance. You must obtain the FRC accession number, agency box number, and FRC location number for each file or docket you wish to review from the Clerk's Office and provide them to the Federal Records Center receptionist at the time you make your appointment. For more information concerning reviewing files at the Federal Records Center, please see Attachment 3, *Regional Records Services -- Pacific Region, Review of U.S. Court Records at the Office of Regional Records Services (Form EDC 2-150)*.

E. Getting Copies of Papers from Locally Stored Case Files

Open case files and recently closed case files are locally stored. Copies of papers in locally stored case files may be obtained by mail or in person at the Clerk's Office public counter. To obtain copies by mail, a written request containing the case number, the case name, the title of the documents you wish copied, your name, address, a telephone number where you can be reached during business hours and the best time to call, must be sent to the Clerk's Office with a self-addressed, stamped envelope and a cashier's check, certified check or money order for the appropriate fee payable to "Clerk, U.S. Bankruptcy Court." Unless certification is needed, a \$20.00 per name or item search fee plus a \$.50 per page photocopy fee will be charged to obtain copies by mail. An additional fee of \$7.00 per document will be charged if certified copies are needed.

To obtain copies in person at the Clerk's Office, you may use the coin operated photocopy machines located in each divisional Clerk's Office file review area unless certified copies are needed. Copies made using the coin operated photocopy machines cost \$.20 per page in the Sacramento Division, \$.15 per page in the Fresno Division, and \$.25 per page in the Modesto Division. **DO NOT REMOVE DOCUMENTS FROM FILES TO PHOTOCOPY --- FOLD THEM OVER INSTEAD.**

The Clerk's Office will not certify copies made by you. To obtain certified copies in person, you will be charged a \$.50 per page photocopy fee plus a \$7.00 per document certification fee provided that you paper-clip together the right side of the pages you would like copied and certified. If you don't paper clip the pages together, the \$20.00 per name or item search

fee, the \$.50 per page photocopy fee and the \$7.00 per document certification fee must be paid to obtain certified copies in person.

F. Getting Copies of Papers from Archived Files

Copies of papers in archived files may be obtained from the Clerk's Office in the same manner as copies of papers in locally stored case files. Unless certification is needed, a \$25.00 per record archive retrieval fee plus a \$.50 per page photocopy fee will be charged for copy work requested by mail. An additional \$7.00 per document fee will be charged for certified copies. Likewise, you may use the coin-operated, public lobby photocopy machines to copy papers in case files recalled to the Clerk's Office from the Federal Records Center unless certified copies are needed. Certified copies of documents in these files will be subject to the same \$.50 per page photocopy and \$7.00 per document certification fees as papers in locally stored cases.

Alternatively, you may obtain copies of papers in archived files by visiting the Federal Records Center in San Bruno. The cost for copy work at the Federal Records Center is \$.50 per page. An additional fee of \$6.00 per certification will be charged if certified copies are needed. You must obtain the same information concerning the file from the Clerk's Office that you would need to view the file, and contact the Federal Records Center to schedule all appointment. Please see Attachment 3, *Regional Records Services -- Pacific Region, Review of U.S. Court Records at the Office of Regional Records Services (Form EDC 2-150)*.

The Federal Records Center will also accept mail and FAX requests for photocopies of archived personal and corporate bankruptcy case files and forward the copies to the requestor via mail or FAX. You may request photocopies of the entire contents of an archived case file, a package of common documents, or specific documents listed on the docket sheet obtained from the court. Copies of papers in archived adversary proceedings may only be obtained by visiting the Federal Records Center or requesting that the Clerk's Office retrieve the file. For more information concerning requests by mail or FAX for copies of papers from personal and corporate bankruptcy case files, please see Attachment 4, *Regional Records Services -- Pacific Region, Requests By Mail or FAX, Bankruptcy Cases Only (Form EDC 2-155)*.