

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
OFFICE OF THE CLERK

NOTICE RE. STATUS OF NEW CASE FILINGS; ACCESS TO COURT RECORDS

In the days leading up to the October 17th effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, the Clerk's Office experienced an unprecedented deluge of new case filings as debtors attempted to "beat the clock" and have their cases filed under the more lenient and now superceded Bankruptcy Code. As of this date, we have a backlog of approximately 5,000 new cases awaiting initial case processing and several thousand additional cases where the initial data entry has been completed, but which await scanning required to create the electronic case files. All available staff have been redirected from other activities to eliminate this horrendous backlog, but the most optimistic estimates are that it will be several weeks before the initial processing of these cases is completed and the electronic case record is fully established.

Because of the unprecedented number of new case filings, all filed within the span of a few days, we have been forced to take PACER offline until further notice. This action was necessary to eliminate a state of system gridlock caused by a flood of PACER queries, which was preventing entry of new case data into the CM system (unlike the court's previous system which separated internal from external use, the CM system combines internal data entry and external queries into one system).

Also, because of the necessity to focus all of our resources on eliminating the backlog of new filings, we regret that we are temporarily unable to respond to telephone inquiries regarding the status of cases or dockets. If you have a case or client-related emergency and need information regarding the status of a new or pending case, it will be necessary for you to visit one of our public counters, where every effort will be made to assist you. Please be advised, however, that information such as case numbers, meeting dates, and deadlines for cases filed since Thursday, October 13th may not be available, even at our public counters, until, at the earliest, Monday, October 24th.

Completing processing on new case filings in the shortest possible period of time is our highest priority. Therefore, we ask that you avoid making inquiries regarding new filings unless it is a true emergency that cannot wait.

Please be assured that every effort is being made to restore normal operations at the earliest possible time. We will provide updated information as it becomes available. For the latest information, be sure to check the "What's New" page of our Internet web site.

We thank you for your cooperation and apologize for the unavoidable inconvenience.

October 17, 2005

Richard G. Heltzel, Clerk

