

*UNITED STATES BANKRUPTCY COURT
District of Vermont*

Thomas J. Hart
Clerk of Court

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TO: Court Users
FROM: Thomas J. Hart
DATE: September 30, 2011
RE: Access to older bankruptcy case documents

**CLERK'S
ANNOUNCEMENT
11-05**

In September 2010, the Judicial Conference amended a policy on privacy and public access to electronic case files to restrict public access through PACER to documents in bankruptcy cases that were filed before December 1, 2003* and have been closed for more than one year. Certain constraints in this court's CM/ECF system did not allow implementation of the policy at the time. Recent CM/ECF upgrades now allow implementation. Effective immediately, the following conditions apply when accessing bankruptcy cases filed before December 1, 2003:

1. The docket sheet and docket information will remain available to the general public via PACER;
2. Any party who has filed a notice of appearance in an individual case will have CM/ECF or PACER access to all filings in that case;
3. All filings in such cases will remain accessible at the clerk's office, except those under seal;
4. Access to documents in bankruptcy case appeals filed in the district courts, bankruptcy appellate panels, or courts of appeals, for bankruptcy cases filed before December 1, 2003, will be similarly restricted.

Access to these restricted documents may be granted pursuant to a judicial finding that such access is necessary for determining class member certification, subject to limitations to be set forth in the judge's order.

If you have any questions about this policy change and its enactment please feel free to call me at (802) 776-2002 or Kathy Ford at (802) 776-2003.

*December 1, 2003 was the effective date of the first of the rule changes adopting privacy parameters.