



3 September 2020

Ruby Krajick
Clerk of Court
United States District Court
500 Pearl Street
New York, New York 10007

Re: Expanding RSS feed functionality in your district

Dear Clerk Krajick,

I am the executive director of Free Law Project, a 501(c)(3) non-profit organization in Oakland, California that works to make the U.S. legal system more fair and efficient. I am writing to urge the Court to fully enable an existing feature of the PACER system: Full and complete RSS feeds of all recent cases and filings in your jurisdiction.

Recently, my organization completed a study of which federal courts provide a complete RSS feed of the recent cases and filings in their district. We found that although RSS feeds are a standard feature of the PACER system that allow the public to freely and efficiently learn about new filings and cases in federal courts, your has the feed limited to exclude a few key types of filings. Currently, your court provides these entry types:

adr, answer, appeal, appeal-cr, charge-cr, cmp, discov, discovery-cr, misc,misc-cr, miscs, mot2255, motion, notice, notice-cr, order, order-cr, respm, respm-cr, respoth, service, service-cr, transfer, transfer-cr, trial, trial-cr, and waiver-cr

The following entry types are thus excluded:

cbvevent-cr, detention-cr, minutes, minutes-cr, plea-cr, utility, and utility-cr

The District Court for the Southern District of New York is one of the most important courts in the country, and we urge the Court to reconfigure its PACER system at its earliest convenience so that it provides a full and complete feed of recent filings.

There is a world of difference between complete and partial feeds. One such advantage is that when feeds are complete, they are consistent across jurisdictions. That means that the people who use and rely on the various feeds do not have to remember what is available from each court, because everything is simply available everywhere. By contrast, when partial feeds are configured, users have to remember which feeds provide which entry types, and have to adjust their work accordingly. They must ask themselves questions like:

“Does the Massachusetts feed include orders or just initial complaints?”

“Will I learn about cases as they come out in the Northern District of Texas or do I have to wait until there’s an order in that jurisdiction?”

“Which entry types were the ones omitted by the Southern District of New York — do those entry types come into play here?”

These kinds of questions, created by differences between jurisdictions, make legal practice more difficult for those that study, follow, or work in more than one jurisdiction. Such differences are often unnecessary, and we hope that by making all feeds complete, we can avoid these jurisdictional differences in RSS feeds.

Complete RSS feeds also enable reliable workflows and tools. When the feeds are complete, local reporters can learn when new cases are filed in their district, so they can quickly find out when there is new momentous litigation, without having to periodically login to PACER and run reports. When feeds are complete, tools like the Big Cases Twitter bot are possible.¹ Big Cases monitors federal cases of public interest and in jurisdictions where RSS feeds fully are enabled, Big Cases uses those feeds to identify important filings, which it then purchases and shares publicly on Twitter. With an audience of fifty-four-thousand followers, the Big Cases bot routinely stimulates discussion and public awareness of newsworthy legal developments. Some of these workflows and tools are possible in a limited sense when there are partial feeds, but none of them work well unless and until feeds are complete.

Complete feeds are also expected to soon be the recommendation of the Administrative Office of the U.S. Courts. In their recently-published notes from the June PACER User Group meeting, they state that they will, “conduct outreach this sum-

¹ https://twitter.com/big_cases

mer to encourage all federal courts” to “*fully* and consistently implement RSS feeds”² (emphasis added). The Reporter’s Committee for Freedom of the Press, a national organization representing numerous media organizations, also recently stated that, “every court should implement a *complete* RSS feed as an efficient means of notifying the press and public about case developments” (emphasis added).³

The final stakeholder that benefits from complete RSS feeds are legal technology providers. While the needs of these companies can at times be easy to dismiss, it is important to recognize that they too are contributing to a fair and just legal system. Like journalists and the public generally, many legal technology providers use RSS feeds to learn about new filings so that they can notify their users. When RSS feeds are complete, legal technology providers can rely on them to notify their users about new filings. When the feeds are partial, providers must develop slower, more expensive, and more convoluted approaches to solving the problem. Serving legal technology providers also serves their users so they can stay more up to date with filings in various cases.

In summary, the AO has stated that they will soon recommend complete feeds across all jurisdictions. We believe that for consistency, simplicity, and empowerment, that is the best way forward to satisfy all stakeholders. We hope the Court will consider reconfiguring it to be complete.

Thank you for your time and consideration,



Michael Lissner
Executive Director
Free Law Project

CC: Edward Friedland, District Executive
John Gencarello, Chief Deputy Clerk, Operations
Richard Wilson, Chief Deputy Clerk, Administration

2 https://www.uscourts.gov/sites/default/files/epa_public_user_group_conference_call_minutes_june_2020_0.pdf
3 <https://www.rcfp.org/appeals-court-ruling-pacer-fees/>