

116TH CONGRESS
1ST SESSION

H. R. 1164

To direct the Director of the Administrative Office of the United States Courts to consolidate the Case Management/Electronic Case Files system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Mr. COLLINS of Georgia (for himself, Mr. QUIGLEY, Mr. DAVID P. ROE of Tennessee, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Director of the Administrative Office of the United States Courts to consolidate the Case Management/Electronic Case Files system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electronic Court
5 Records Reform Act of 2019”.

1 **SEC. 2. CONSOLIDATION OF THE CASE MANAGEMENT/ELEC-**
2 **TRONIC CASE FILES SYSTEM.**

3 (a) IN GENERAL.—Not later than 2 years after the
4 date of the enactment of this Act, the Director of the Ad-
5 ministrative Office of the United States Courts, in coordi-
6 nation with the Administrator of General Services, shall
7 consolidate the Case Management/Electronic Case Files
8 system, and shall develop one system for all filings with
9 courts of the United States, which shall be administered
10 by the Administrative Office of the United States Courts.

11 (b) USE OF TECHNOLOGY.—In developing the system
12 under subsection (a), the Director shall use modern tech-
13 nology in order—

14 (1) to improve security, data accessibility, af-
15 fordability, and performance; and

16 (2) to minimize the burden on pro se litigants.

17 (c) AVAILABILITY TO STATES.—

18 (1) IN GENERAL.—A State may choose to par-
19 ticipate in the system developed under this section.

20 (2) FEE.—The Director shall charge a fee to a
21 State that chooses to participate in the system,
22 which is set at a level to recover the cost of pro-
23 viding the services associated with the administra-
24 tion and maintenance of the system to the State.

1 **SEC. 3. PUBLIC ACCESS TO COURT ELECTRONIC RECORDS**
2 **SYSTEM REQUIREMENTS.**

3 (a) IN GENERAL.—Not later than 2 years after the
4 date of the enactment of this Act, the Director of the Ad-
5 ministrative Office of the United States Courts, in coordi-
6 nation with the Administrator of General Services, shall
7 update the Public Access to Court Electronic Records sys-
8 tem, which shall be subject to the following requirements:

9 (1) A document filed with a court shall be made
10 publicly accessible upon filing, except as ordered by
11 a court or by rule of the Judicial Conference.

12 (2) All documents on the system shall be avail-
13 able to the public and to parties before the court
14 free of charge.

15 (3) Any information that is prohibited from
16 public disclosure by law or court order shall be re-
17 dacted.

18 (4) All documents shall be text-searchable and
19 machine-readable.

20 (5) To the extent practicable, external websites
21 shall be able to link to documents on the system.

22 (6) The system shall include digital audio and
23 visual files of court recordings, when such files are
24 available.

25 (7) The system shall provide search functions
26 for public use.

1 (b) MINIMIZING THE BURDEN ON PRO SE LITI-
2 GANTS.—In developing the system to comply with the re-
3 quirements under subsection (a), the Director shall, to the
4 extent practicable, not impose a disproportionate impact
5 on pro se litigants.

6 (c) USE OF TECHNOLOGY.—In developing the system
7 under subsection (a), the Director shall use modern tech-
8 nology in order—

9 (1) to improve security, data accessibility, af-
10 fordability, and performance; and

11 (2) to minimize the burden on pro se litigants.

12 (d) AUTHORITY TO EXEMPT CERTAIN DOCU-
13 MENTS.—The Director may identify categories of docu-
14 ments which are not made publicly accessible under sub-
15 section (a)(1), and categories of court proceedings, the re-
16 cordings of which are not made available under subsection
17 (a)(6).

18 **SEC. 4. DEFINITION OF MACHINE-READABLE.**

19 In this Act, the term “machine-readable” means a
20 format in which information or data can be easily proc-
21 essed by a computer without human intervention while en-
22 suring no semantic meaning is lost.

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