

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PUBLIC NOTICE

**AMENDMENTS TO SCHEDULE OF FEES
OF THE UNITED STATES DISTRICT COURT**

Please take notice that at a meeting held on March 6, 2012, the Judges of the United States District Court for the District of Massachusetts approved amendments, effective immediately, to the court's Schedule of Fees as follows:

The re-registration for attorneys admitted prior to January 1, 2001 for a fee of \$25.00 has been eliminated. Any attorney in inactive status with the United States District Court for the District of Massachusetts must meet the requirements for admission and pay the corresponding fee as would any attorney seeking admission.

The fee for filing a motion for leave to appear and practice in a particular case (*pro hac vice*) in the District of Massachusetts has been increased to \$100.00.

The Amended Fee Schedule is attached hereto and posted on the court's website under "General Information" at: <http://www.mad.uscourts.gov/general/fees-payments.htm>

March 19, 2012

Sarah Allison Thornton
Clerk of Court

FEE SCHEDULE - DISTRICT OF MASSACHUSETTS*

The fees included in the District Court Miscellaneous Fee Schedule are to be charged for services provided by the district courts.

- The United States should not be charged fees under this schedule, with the exception of those specifically prescribed in Items 2, 4 and 5, when the information requested is available through remote electronic access.
- Federal agencies or programs that are funded from judiciary appropriations (agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006 and bankruptcy administrators) should not be charged any fees under this schedule.

A. Filing Fees - New Civil Action

1. The filing fee for a complaint is \$350.00.
2. The filing fee for a notice of removal is \$350.00.
3. The filing fee for an application for writ of habeas corpus is \$5.00.

B. Filing Fee - Appeal

1. For docketing a case on appeal or review, or docketing any other proceeding, \$455. A separate fee shall be paid by each party filing a notice of appeal in the district court, but parties filing a joint notice of appeal in the district court are required to pay only one fee. A docketing fee shall not be charged for the docketing of an application for the allowance of an interlocutory appeal under 28 U.S.C. § 1292(b), unless the appeal is allowed. The costs will be broken down as follows: \$450 as specified in the revised Miscellaneous Fee Schedule, and the \$5.00 fee required by 28 U.S.C. § 1917. These fees are payable TO THE DISTRICT COURT CLERK when the notice of appeal is filed.

C. Filing Fee - Miscellaneous Fees

1. For filing any document that is not related to a pending case or proceeding, \$46.
2. For conducting a search of the district court records, \$30 per name or item searched. This fee applies to services rendered on behalf of the United States if the information requested is available through electronic access.
3. For certification of any document, \$11. For exemplification of any document, \$18.
4. For reproducing any record or paper, \$.50 per page. This fee shall apply to paper copies made from either: (1) original documents; or (2) microfiche or microfilm reproductions of the original records. This fee shall apply to services rendered on behalf of the United States if the record or paper requested is available through electronic access.
5. For reproduction of an audio recording of a court proceeding, \$30. This fee applies to services rendered on behalf of the United States, if the recording is available electronically.
6. For each microfiche sheet of film or microfilm jacket copy of any court record, where available, \$6.
7. For retrieval of a record from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$53.
8. For a check paid into the court which is returned for lack of funds, \$53.
9. For an appeal to a district judge from a judgment of conviction by a magistrate judge in a misdemeanor case, \$37.
10. For original admission of attorneys to practice, \$226 each, including a certificate of admission. For a duplicate certificate of admission or certificate of good standing, \$18. The fee for filing a motion for leave to appear and practice in a particular case (pro hac vice) in the District of Massachusetts is \$100.
11. The court may charge and collect fees commensurate with the cost of providing copies of the local rules of court. The court may also distribute copies of the local rules without charge.
12. The clerk shall assess a charge for the handling of registry funds deposited with the court, to be assessed from interest earnings and in accordance with the detailed fee schedule issued by the Director of the Administrative Office of the United States Courts.

For management of registry funds invested through the Court Registry Investment System (CRIS), a fee at a rate of 2.5 basis points shall be assessed from interest earnings.

FEE SCHEDULE - DISTRICT OF MASSACHUSETTS*

13. For filing an action brought under Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, P.L. 104-114, 110 Stat. § 785 (1996), \$6,355. (This fee is in addition to the filing fee prescribed in 28 U.S.C. 1914(a) for instituting any civil action other than a writ of habeas corpus.)

(Eff. 9/7/2011)

ELECTRONIC PUBLIC ACCESS FEE SCHEDULE

(Issued in accordance with 28 U.S.C. § 1913, 1914, 1926, 1930, 1932)

As directed by Congress, the Judicial Conference has determined that the following fees are necessary to reimburse expenses incurred by the judiciary in providing electronic public access to court records. These fees shall apply to the United States unless otherwise stated. No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and bankruptcy administrator programs.

- I. For electronic access to court data via a federal judiciary Internet site: eight cents per page, with the total for any document, docket sheet, or case-specific report not to exceed the fee for thirty pages— provided however that transcripts of federal court proceedings shall not be subject to the thirty-page fee limit. For electronic access to an audio file of a court hearing via a federal judiciary Internet site: \$2.40 per audio file. Attorneys of record and parties in a case (including *pro se* litigants) receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. No fee is owed under this provision until an account holder accrues charges of more than \$10 in a quarterly billing cycle. Consistent with Judicial Conference policy, courts may, upon a showing of cause, exempt indigents, bankruptcy case trustees, individual researchers associated with educational institutions, courts, section 501(c)(3) not-for-profit organizations, court appointed pro bono attorneys, and pro bono ADR neutrals from payment of these fees. Courts must find that parties from the classes of persons or entities listed above seeking exemption have demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. For individual researchers, courts must also find that the defined research project is intended for academic research, and not for commercial purposes or internet redistribution. Any user granted an exemption agrees not to sell for profit the data obtained as a result. Any transfer of data obtained as the result of a fee exemption is prohibited unless expressly authorized by the court. Exemptions may be granted for a definite period of time and may be revoked at the discretion of the court granting the exemption.
- II. For printing copies of any record or document accessed electronically at a public terminal in the courthouse: ten cents per page. This fee shall apply to services rendered on behalf of the United States if the record requested is remotely available through electronic access.
- III. For every search of court records conducted by the PACER Service Center, \$26 per name or item searched.
- IV. For the PACER Service Center to reproduce on paper any record pertaining to a PACER account, if this information is remotely available through electronic access, 50 cents per page.
- V. For a check paid to the PACER Service Center which is returned for lack of funds, \$45.

JUDICIAL CONFERENCE POLICY NOTES

Courts should not exempt local, state or federal government agencies, members of the media, attorneys or others not members of one of the groups listed above. Exemptions should be granted as the exception, not the rule. A court may not use this exemption language to exempt all users. An exemption applies only to access related to the case or purpose for which it was given. The prohibition on transfer of information received without fee is not intended to bar a quote or reference to information received as a result of a fee exemption in a scholarly or other similar work.

The electronic public access fee applies to electronic court data viewed remotely from the public records of individual cases in the court, including filed documents and the docket sheet. Audio files of court hearings do not include naturalization ceremonies or appellate oral arguments. Electronic court data may be viewed free at public terminals at the courthouse and courts may provide other local court information at no cost. Examples of information that can be provided at no cost include: local rules, court forms, news items, court calendars, opinions, and other information – such as court hours, court location, telephone listings – determined locally to benefit the public and the court.

**Application for Exemption from the
Judicial Conference's Electronic Public Access Fees
in the District of _____**

In support of this application, I provide the following:

1) I am an individual researcher associated with _____.

2) The data received will be used in my research project:

(Attach additional sheets as necessary)

3) An exemption from the Judicial Conference's Electronic Public Access Fee is necessary in order to avoid unreasonable burdens and to promote public access to information.

4) I understand that this fee exemption will apply only to me, will be valid only for the purposes stated above, and will apply only to the electronic case files of this court that are available through the PACER service.

5) I agree that any data received through this exemption will not be sold for profit, will not be transferred, will not be used for commercial purposes, and will not be redistributed via the Internet.

Declaration: I declare that the above information is true and understand that a false statement may result in abolishment of my exempt access and an assessment of Electronic Public Access usage fees.

Date: _____

Applicant's signature

Printed name