

Support PACER Reform to Ensure Identifiers are Available in Public Records



BACKGROUND CHECKS USING PACER ARE LIMITED TO NAME-ONLY

- Employers conducting background checks on (prospective) employees that include federal criminal records must use the federal courts' record repository, Public Access Court Electronics Records, or "PACER."
- Searches on PACER - unlike most other criminal record repositories across the country - are limited to name-only.
- As a result, searches on PACER unfortunately deliver incomplete records, producing search results that typically extend far beyond those of the applicant, rendering it difficult - and at times impossible - to determine whether a criminal record belongs to the applicant.

THE INABILITY TO USE DATE OF BIRTH (DOB) IN PACER HAS UNINTENDED CONSEQUENCES

- Many crimes are uniquely federal and very serious in nature.
- The inability to use DOB in PACER means the background check process takes much longer. For applicants waiting to get to work, the consequences can be significant..



SOLUTION

Congress should enact legislation directing the Judicial Conference to require the submission of personal identifiers such as DOBs to improve accuracy.