

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA**

**IN RE: POLICY AND PROCEDURES
REGARDING REFUND OF FEES PAID
ELECTRONICALLY (PAY.GOV)**

Misc. No. 4:95mc40111

The Judicial Conference of the United States has a long-standing policy prohibiting the refund of fees. This policy was relatively easy to administer in a paper environment; however, issues have been raised since the implementation of Case Management/ Electronic Case Filing (CM/ECF), which encompasses the ability to collect filing fees electronically using a credit card via Pay.gov. Difficulties with the application of the refund policy have greatly increased as filing parties can inadvertently make erroneous or duplicate payments on line.

The Judicial Conference has endorsed a process which addresses only limited refund authority by the court when user errors in electronic payments are made. This policy is intended to serve as guidance to the Clerk of Court in determining when to exercise his discretion in addressing refund of fees paid electronically via Pay.gov.

- ◆ This policy addresses only limited refund authority by the court when errors in electronic payments are made.
- ◆ If the court discovers an erroneous filing for which a fee has not yet been collected, the court may correct the erroneous filing administratively and not collect the fee.
- ◆ Requests for refunds after the fee has already been collected must be made by written application to the Clerk of Court.
- ◆ If a refund request is granted, the refund will be processed through the electronic credit card system, Pay.gov; no refunds will be issued through the use of Treasury checks.
- ◆ If the Clerk determines that a refund is not warranted and the party disagrees, a motion may be filed with the court within ten (10) days of such determination requesting that the Chief Judge review the same.

- ◆ In the event that a particular attorney or law firm continually makes repeated mistakes when submitting fees through Pay.gov and requesting refunds, the court may consider remedial action, such as issuing an order to show cause why further requests for refunds should be considered.
- ◆ This policy does not amend the general refund policy.

SO ORDERED this 9th day of October, 2007.

s/Robert L. Hinkle
Chief United States District Judge