

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

IN RE:

**POLICY TO REFUND
ELECTRONIC FILING FEES**

Standing Order No: 2011-9

This Order establishes procedures for the refunding of duplicate or erroneously paid filing fees that may be generated during the electronic filing of documents. The Judicial Conference of the United States has generally prohibited the refunding of filing fees (JCUS-MAR 49). However, in March 2005, the Judicial Conference of the United States issued guidance endorsing limited refund authority by the courts as a result of the increased likelihood of inadvertent, erroneous, or duplicative payments made by parties using the Case Management/Electronic Case Files (CM/ECF) system. It further advised courts that determining appropriate policies and procedures for refunding erroneously applied filing fee payments would be left to the sound discretion of each court.

Accordingly, **IT IS HEREBY ORDERED** that the Clerk of the United States District Court for the District of Oregon, or her designee, is authorized to refund all fees erroneously paid through the Pay.gov filing fee module in CM/ECF:

1. If discovered by the court or Clerk's Office that a fee has been paid erroneously;
or
2. If an attorney files a request for a refund and it can be determined by the Clerk or her designee that the fee has been erroneously paid.

Attorneys seeking a refund must submit a written request to be electronically filed in CM/ECF in the associated case docket. The request must be in pleading form and include the

name, address, and telephone number of the party requesting the refund. Supporting documentation must be attached, including a copy of the electronic payment receipt and a copy of the Notice of Electronic Filing (NEF) from the system transaction in CM/ECF during which the erroneous or duplicative payment was made. Upon receipt of the request and verification of the error, the Finance Department shall process the refund to the same credit card from which the erroneous payment was made and will record notice of such in the associated case docket in CM/ECF. Refund checks will not be issued.

In the event that an attorney or law firm consistently errs when submitting fees, thereby causing repeated requests for refunds, the court may consider remedial action including an order to show cause as to why that attorney or law firm should not be barred from making future payments electronically through the Pay.gov module in CM/ECF.

Done on behalf of the Court this 24 day of October, 2011.



ANN AIKEN
CHIEF U.S. DISTRICT COURT JUDGE