

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:            PROCEDURES RELATING TO    :            STANDING ORDER  
                  UNPAID FILING FEES                :  
    :            MISC. NO. 15-3008  
    :  
    :            Debtor**

**ORDER**

**AND NOW, this 18<sup>th</sup> day of August 2015, WHEREAS:**

- A. Various documents filed with the court must be accompanied by a prescribed filing fee. See 28 U.S.C. §1930.
- B. The electronic filing system of the court (“CM/ECF”) allows a Filing User<sup>1</sup> to upload and file a document without paying the filing fee immediately, with the expectation that the filing fee will be paid within twenty-four (24) hours.
- C. Presently, there is no administrative enforcement mechanism for the collection of unpaid filing fees for electronically filed documents.
- D. Presently the delinquency in unpaid filing fees for electronically filed documents is at a substantial level.
- E. The Board of Judges has determined that the level of unpaid filing fees for electronically filed documents is sufficient to warrant some corrective administrative action by the court

It is therefore **ORDERED**, pursuant to a resolution adopted by the Board of Judges on **August 12, 2015** that:

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<sup>1</sup> In this Order, the term Filing User has the meaning employed in the court’s Standing Order M-03-3005 (April 1, 2003).

1. If an electronically filed document requires the payment of a filing fee, such filing fee shall be paid no later than forty-eight (48) hours after the filing.
2. The Clerk's Office shall follow the procedures set forth below if a Filing User fails to pay the prescribed fee for an electronically filed document within forty-eight (48) hours after the filing :
  - a. By electronic notice, the Clerk shall advise the Filing User of the delinquency, the duty to pay the filing fee forthwith and the Clerk's intention to refer the matter to the Chief Judge if the delinquency is not paid timely.
  - b. If the delinquency is not paid within seven (7) days after the Clerk has given notice under Paragraph 2.a., the Clerk shall refer the matter to the Chief Judge.
  - c. After referral of a filing fee delinquency under Paragraph 2.b., the Chief Judge, with or without further notice, may suspend the electronic filing privileges of the Filing User.
  - d. After paying all delinquent fees, a Filing User whose electronic filing privileges have been suspended may seek reinstatement of electronic filing privileges by filing a motion. Such motion shall be determined without a hearing pursuant to L.B.R. 9014-2.
3. This Order is administrative in nature and nothing in the Order shall restrict the authority of the court, in any case, from striking a document, denying the relief requested in a motion, application or objection, or dismissing a case or adversary proceeding<sup>2</sup> for failure to pay the prescribed filing fee.
4. The Clerk shall serve this Order electronically on all Filing Users forthwith.
5. This Order shall be effective on **September 1, 2015**.

**Date:** August 18, 2015



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**ERIC L. FRANK**  
**CHIEF U.S. BANKRUPTCY JUDGE**

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<sup>2</sup> Dismissal is authorized by 11 U.S.C. §707(a)(2), 1112(b)(4)(K), 1208(c)(2) and 1307(c)(2).