

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : Miscellaneous No. 08-3016
PROCEDURE FOR REFUNDS :
OF FEES PAID ELECTRONICALLY :

O R D E R

WHEREAS the Judicial Conference has a long-standing policy prohibiting the refund of filing fees, and

WHEREAS, with the implementation of the Case Management/Electronic Case Filing (CM/ECF) system, the Judicial Conference recognizes the necessity to grant limited refund authority by the courts when errors in electronic payments are made, and

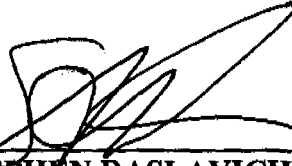
WHEREAS the authority to approve a refund is a judicial determination, but may be delegated to the clerk of court under procedures clearly addressing the type of refund that a clerk can approve, it is hereby

ORDERED AS FOLLOWS:

- (1) All requests for the refund of fees shall be made upon application to the court.
- (2) The decision to refund fees shall be a judicial determination, except the clerk of court is delegated the specific authority to approve a refund when:
 - (a) a filing fee is erroneously incurred due to a technical automation error on the part of counsel when submitting a document, or
 - (b) a filing fee is erroneously generated due to a technical automation error in the CM/ECF or electronic credit card systems.
- (3) All refunds shall be processed through the court's electronic credit card system and not by check.

- (4) If the court finds that a particular attorney or law firm continues to make repeated errors when submitting fee generating documents followed by requests for refunds, the court may consider remedial action, such as the issuance of an order to show cause why further requests for refunds should be considered.

FOR THE COURT:



**STEPHEN RASLAVICH
CHIEF UNITED STATES BANKRUPTCY JUDGE**

Dated: 6/26/08