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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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IN RE: REGARDING REFUND POLICY :  
FOR DUPLICATE ELECTRONIC FILING :  
FEES :

STANDING ORDER  
M10-468

**11 MISC 00420**

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This Order promulgates procedures for the refunding of duplicate filing fees which occur through errors made during the electronic filing of documents. The Judicial Conference of the United States, which has had a longstanding policy of not refunding filing fees (JCUS-MAR 05, p. 11), recently issued guidance endorsing limited refund authority by the courts as a result of the increased likelihood of inadvertent erroneous or duplicate payments made by filing parties using Case Management/Electronic Case Filing (CM/ECF).

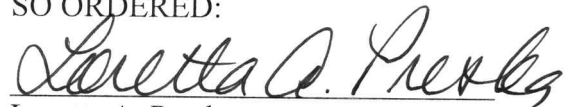
With the advent of electronic filing and payment of fees errors have become more commonplace during the filing and payment process resulting in duplicate payments of the applicable filing fee. It has therefore been left to the discretion of each individual court to determine what policies and procedures to implement with regards to the refunding of erroneously charged filing fee payments.

IT IS ORDERED that the Clerk of Court, or the Clerk of Court's designee, shall be authorized to refund a fee erroneously paid:

- ( 1) if discovered by the Court or the clerk's office that a fee has been erroneously paid;
- (2) if an attorney files a request for a fee refund and it can be determined by the Clerk of Court, or her designee, that the fee has been erroneously paid.

Upon verification of the error, the refund shall be processed back to the same credit card from which the duplicate payment was made and be entered on the docket for recording purposes.

SO ORDERED:



Loretta A. Preska  
Chief United States District Judge

Dated: New York, New York  
November 28, 2011