

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GENERAL ORDER 07-2

April 27, 2007

REGARDING REFUND POLICY
FOR DUPLICATE ELECTRONIC FILING FEES

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 49, p.202), 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 Files (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 her 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.

IT IS SO ORDERED:

Mark L. Wolf

Mark L. Wolf
Chief Judge

Rya W. Zobel

Rya W. Zobel
United States District Judge

Douglas P. Woodlock

Douglas P. Woodlock
United States District Judge

Richard G. Stearns

Richard G. Stearns
United States District Judge

Patti B. Saris

Patti B. Saris
United States District Judge

Michael A Ponsor

Michael A Ponsor
United States District Judge

F. Dennis Saylor IV

F. Dennis Saylor IV
United States District Judge

Joseph L. Tauro

Joseph L. Tauro
United States District Judge

William G. Young

William G. Young
United States District Judge

Nathaniel M. Gorton

Nathaniel M. Gorton
United States District Judge

Reginald C. Lindsay

Reginald C. Lindsay
United States District Judge

Nancy Gertner

Nancy Gertner
United States District Judge

George A. O'Toole

George A. O'Toole
United States District Judge