UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

AUTHORITY TO REFUND	)	
ERRONEOUS OR DUPLICATE	)	**MISC NO. 07-203**
ON-LINE FILING FEE PAYMENTS	)	
	)	

ORDER

This matter comes before the Court pursuant to the Court's addition of the Pay.gov internet fee payment capability to its Case Management/Electronic Filing (CM/ECF) system, and the resulting need for standard procedures for refunding erroneous electronic payments.

IT IS THEREFORE ORDERED:

that the limited authority to approve refunds of filing fees paid electronically via Pay.gov is delegated to the Clerk of Court or designee

that the following procedures will govern all such refunds:

1. **The Clerk may refund:**

   A. Duplicate payments. Those in which the payer has inadvertently paid the filing fee more than once in the same case, resulting in two or more identical credit card charges.

   B. Erroneous payments. Those in which the payer has inadvertently paid the fee in the incorrect case. Those in which the payer has inadvertently left the Pay.gov site and did not complete the process of their document thru Case Management/Electronic Filing (CM/ECF) system.

2. **A payer must request a refund by application to the Clerk of Court. The application should explain the circumstances leading to the request, and the amount of the requested refund. The payer should electronically file the application at the Miscellaneous Number.**

3. **The Clerk of Court may authorize a refund request, deny it, or refer it to the district judge to whom the case is assigned.**

4. **If the Clerk of Court denies a refund, a payer may, within 5 days, move to have the Judge to whom the case is assigned review the denial.**

5. **All authorized refunds shall be processed through the Pay.gov electronic credit card system. If the payer's credit card is no longer valid, the court will issue a check through the U.S. Treasury. In no event will the Clerk of Court issue a cash refund.**

6. **If some filers repeatedly request refunds for mistakes made when paying fees online, the Clerk may request the Court to order remedial action, such as additional training, or to order the filer to show cause why the Clerk should consider further request for refunds.**

This limited approval for refund of fees paid electronically through Pay.gov does not otherwise amend the general refund policy.

IT IS SO ORDERED this 12th day of July 2007.

Donetta W. Ambrose

DONETTA W. AMBROSE
Chief United Stated District Judge