

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GENERAL ORDER No. 68

IN RE: Policy on Court Refunds of Fee Overpayments

The Judicial Conference of the United States has a long-standing policy that generally prohibits the refunding of fees. However, in accordance with the April 2006 guidance issued by the Judicial Conference, the court hereby delegates its authority to the Clerk of Court to refund a filing fee paid by an Case Management/Electronic Case Filing (CM/ECF) system user when a fee was paid erroneously.

The following procedures apply to the refund of filing fees paid electronically:

- A. The Clerk of Court may refund only duplicate filing fees in which the payor has inadvertently paid the filing fee more than once in the same case, resulting in two or more identical credit card charges and erroneous payments in which the payor has inadvertently made a fee filing fees when no fee was due.
- B. Requests for refunds should be made by completing an Application for Refund form, which is available under the Forms section of the court's website. The Application for Refund should then be submitted to the Clerk of Court via the court's CM/ECF system by selecting "Application for Refund" from the CM/ECF events menu.
- C. Upon receipt of the Application for Refund, the Financial Unit may approve or deny an application for refund. The approval or denial of the application for refund will be entered on the case docket.
- D. If the court discovers an erroneous filing for which a fee has not been collected, the court may correct the erroneous filing administratively and not collect the fee.
- E. All authorized refunds shall be processed through the electronic credit card system.
- F. In the event that an attorney or law firm continues to make repeated mistakes when paying filing fees and requesting refunds, the Clerk of Court may request that the Chief Judge issue an order to show cause why additional requests for refunds by that attorney or law firm should not be denied. The order to show cause will be filed as a miscellaneous case.

IT IS SO ORDERED.

ADOPTED: November 21, 2011
AMENDED: October 19, 2023

FOR THE COURT:



RICHARD SEEBORG
CHIEF JUDGE