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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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IN RE: AUTHORITY TO REFUND  
DUPLICATE OR ERRONEOUS  
ONLINE FEE PAYMENTS

GENERAL ORDER  
No. 20-031

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The Judicial Conference of the United States has a long-standing policy of not refunding fees that may have been paid in error. (JCUS-Mar 49.) But with the court's increasing reliance on Pay.gov to process online payments, mistakes have occurred, resulting in duplicate or erroneous payments.

To remedy the problem, the Judicial Conference approved guidance regarding the refund of electronic payments in certain circumstances. Authority to approve a refund is a judicial determination, but the Judicial Conference decided that the Chief Judge may delegate authority to make the determination to the Clerk of the Court so long as the court has clear procedures that specify the type of refund that the Clerk may approve. This Order establishes procedures for the refund of duplicate or erroneously paid fees but does not otherwise amend the general refund policy.

ACCORDINGLY, IT IS ORDERED, that the Clerk of Court, or designee, is authorized to refund all fees erroneously paid through Pay.gov using the court's CM/ECF system in the following circumstances:

1. Duplicate Payments – for example, filing fee, annual attorney registration fee, attorney admission fee, or certificate of good standing fee paid more than once resulting in two or more identical credit card charges; or
2. Erroneous Payments – for example, payment of the wrong amount or made in the wrong case.

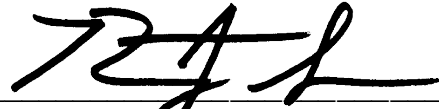
A person requesting a refund must complete the Refund Request Form, save the completed form as a PDF document, and file the form using the court's CMECF system. The completed form will be a restricted entry in the court's CMECF system and will be unavailable to the public. In newly filed cases, please wait 24-48 hours to request a refund because the case will need to be opened in CM/ECF before a refund can be issued. Additional instructions for requesting a refund can be found on the court's website.

If the court discovers an erroneous filing for which a fee has not yet been collected, the court may correct the erroneous filing administratively and not collect the fee. Authorized refunds for credit card or debit card payments will be processed through Pay.gov. Authorized refunds of ACH payments will be issued by check through the U.S. Treasury. A waiting period of up to 30 days may be required before the approval of any request. In no event will the Clerk of Court issue a cash refund.

If a person or law firm repeatedly requests refunds for mistakes made when paying fees online, the Clerk of Court may request that the court order remedial action, which may include requiring the person to take additional CMECF training.

**SO ORDERED** this 9th day of November, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'RJS', written over a horizontal line.

ROBERT J. SHELBY  
CHIEF UNITED STATES DISTRICT JUDGE