UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

IN RE: :
                                          :
AUTHORITY TO REFUND   :   STANDING ORDER NO. 10-02
ERRONEOUS OR DUPLICATE   :
ON-LINE FILING FEE PAYMENTS :
                                          :

ORDER

This matter comes before the Court pursuant to new guidelines regarding the Court's

ability to receive payments through its Case Management/Electronic Filing (CM/ECF) system

using the United States Treasury's Pay.gov system, and the resulting need for standard

procedures for refunding duplicate or erroneous electronic payments made from Credit and

ACH/Debit Accounts.

IT IS THEREFORE ORDERED:

that the limited authority to approve refunds of filing fees paid electronically via Pay.gov

is delegated to the District Court Executive/Clerk of Court, and

that the following procedures will govern all such refunds:

1. The DCE/Clerk of Court may refund:

    A. Duplicate payments. Those 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, debit card or ACH charges.

    B. Erroneous payments. Those in which the payor has inadvertently paid the
        fee in an incorrect case.

2. A payor must request a refund by application to the DCE/Clerk of Court. The
    application should explain the circumstances leading to the request, and the

amount of the requested refund. The payor should electronically file the application, using CM/ECF, in the case in which payor made the duplicate or erroneous payment.

3. The DCE/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 DCE/Clerk of Court denies a refund, a payor may, within 5 days, move to have the Judge to whom the case is assigned review the denial.

5. Authorized refunds shall be processed through the Pay.gov electronic credit card system. In those instances involving refunds to ACH or debit accounts, or to invalid credit card accounts, the court will issue a check through the U.S. Treasury. A waiting period of a minimum of 15 business days must expire, prior to the approval and /or funding of any refund request, where the original payment method used was ACH/Debit. In no event will the DCE/Clerk of Court issue a cash refund.

6. If a filer repeatedly requests refunds for mistakes made when paying fees online, the DCE/Clerk of Court may request the Court to order remedial action, such as additional training, or to order the filer to show cause why the DCE/Clerk of Court should consider further requests 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 ___/0___ day of March 2010.

_____
JULIE E. CARNES
Chief United States District Judge

APPLICATION FOR REFUND OF FEES
PAID ELECTRONICALLY THROUGH PAY.GOV

Date of Request: Date of Fee Payment:

Case Number: Tracking Id:

Amount to be Refunded:

Reason for Request:

Supervisor's Recommendation:

Action Taken: _____   Approved

                     _____   Denied

                     _____   Referred to Judge for further action

_____   _____
DATE   JAMES N. HATTEN
                                        Clerk of Court