UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

NOTICE OF REFUND POLICY OF ELECTRONIC FILING FEES

This Notice establishes procedures for the refunding of duplicate or erroneously paid filing fees which are generated during the electronic filing of documents. The Judicial Conference of the United States has generally prohibited the refunding of filing fees (JCUS_MAR 49). However, in March of 2005, the Judicial Conference of the United States issued guidance endorsing limited refund authority by the courts as a result of the increased likelihood of inadvertent, erroneous or duplicate payments made by parties using the Case Management/Electronic Case Files (CM/ECF) system. It further advised courts that determining appropriate policies and procedures for refunding erroneously applied filing fee payments be left to the sound discretion of each court.

The Clerk of the United States District Court for the Southern District of Illinois, or his designee, is authorized to refund all fees erroneously paid through the Pay.gov electronic filing fee tool in CM/ECF:

1. if discovered by the court or Clerk's office that a fee has been paid erroneously;

2. if an attorney files a motion for a refund and it can be determined by the Clerk or his designee that the fee has been erroneously paid.

Attorneys seeking a refund must electronically file a motion and supporting documentation must be attached, including a copy of the electronic payment receipt and the Notice(s) of Electronic Filing generated from the court's electronic case management system. The motion must include the name, address and telephone number of the party requesting the refund.

Upon order of the court, the Finance Department shall process the refund to the same credit card from which the erroneous payment was made and will forward notice of such to the Operations Department for recording to the docket. Refund checks will not be issued.

In the event that an attorney or law firm consistently errs when submitting fees and thereby repeatedly requests refunds, the court will consider remedial action and may issue an order to show cause as to why further requests for refunds should be considered.