

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA

BANKRUPTCY STANDING ORDER 2006-3

REFUNDS OF FILING FEES

The Judicial Conference has approved limited authority of bankruptcy courts to issue refunds of fees due to the implementation of CM/ECF and the payment of filing fees electronically by credit card, which has resulted in an increase in mistakes in payments of filing fees. Although the authority to approve a refund is a judicial determination, the court may delegate this authority to the Clerk of Court. Accordingly,

IT IS ORDERED:

- (1) Requests for refunds must be made by motion or application, and the parties must submit a proposed order.
- (2) The Clerk is authorized to issue refunds for:
 - a) fees collected without authority,
 - b) duplicate credit card payments that result from a failed internet credit card process,
 - c) payments that result from a duplicate petition erroneously filed through CM/ECF, and

d) fees collected due to the Clerk's administrative error.

(3) If the Clerk discovers an erroneous filing for which a fee has not yet been collected, the Clerk, without motion and order, may correct the erroneous filing administratively and not collect the fee.

(4) If a particular attorney or law firm continues to make repeated mistakes when submitting fees and requesting refunds, the court may consider remedial action.

(5) All other requests for refunds must be made by motion and notice of hearing for a judicial determination.

New Orleans, Louisiana, March 9, 2006.



Chief Judge Jerry A. Brown



Judge Elizabeth W. Magner