

**UNITED STATES DISTRICT
COURT
NORTHERN DISTRICT OF NEW YORK**

JOHN M. DOMURAD
Clerk

DAN MCALLISTER
Chief Deputy



**James M. Hanley Federal Building
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Syracuse, New York 13261-7367
(315) 234-8500**

REFUND OF FEES PAID

WHEREAS the Judicial Conference of the United States has generally prohibited the refunding of filing fees (JCUS-MAR 49), even if a party filed the case or the document in error, or the Court dismissed the case or proceeding; and

WHEREAS in March 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; and

WHEREAS such guidance advised courts that determining appropriate policies and procedures for refunding erroneously applied filing fee payments be left to the sound discretion of each court.

Judicial Conference Policy generally prohibits the refund of fees; however, refunds may be issued upon the approval under limited circumstances, such as:

1. When an overpayment has been made by the filer; or
2. When a duplicate, identical complaint, notice of appeal, or motion for admission pro hac vice is filed more than once by the same attorney or the same law firm.

Procedures:

1. A refund of fees paid via Pay.Gov shall be made by completing the online request found on the court's website at <http://www.nynd.uscourts.gov/refund-fees-paid>

2. The application must contain the following information:
 - a. Date of Request
 - b. Full and correct account holder name
 - c. Credit Card type and full number, including expiration date
 - d. Current and complete billing address
 - e. Reason for refund
 - f. Case Number, if seeking refund of duplicate filing fee(s)
(If new complaint filed to the 5:00-at-99999 case, please include the case name)
 - g. Date of Pay.Gov transaction
 - h. Receipt Number or Pay.Gov tracking ID Number

3. Upon filing, the Clerk's Office will review the application, and if appropriate, issue a Clerk's Order approving a refund. The Financial Unit will issue a refund by treasury check if the payment was made in cash, check, or ACH - debit card. If the original payment was made *via* credit card, the refund shall be in the form of a credit to the credit card from which the original payment was made. For credit card refunds, an email confirmation will be sent to the requesting party's email address.