

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA**

Procedures Regarding Erroneous Electronic Filings and Refunds of Fees

A. Erroneous Electronic Filing for Which a Fee Has Been Incurred and Paid

If an electronic filer has incurred and paid a filing fee due to a mistake in filing (e.g., inadvertently filing a new bankruptcy case twice, creating a fee event after filing a motion, or filing a document that incurs a fee on the wrong case), a Motion for Refund of Court Fees must be filed in order to obtain a refund of that fee.

An electronic filer can file the Motion for Refund of Court Fees in CM/ECF under Bankruptcy > Motions > Refund Court Fees.

The motion must include the following:

- Name of the party requesting the refund,
- Date, amount, and receipt number of payment,
- Reason why the fee was incurred in error, and
- The name and address of the person to whom the check should be made payable, if the refund is not to be credited to the original credit card account that was used to make the payment. The court does not issue refunds via check unless the refund is to be paid directly to a debtor or case trustee.

Additionally, the electronic filer must file a certificate of service and a proposed eOrder with the motion. The certificate of service must reflect that the motion was served upon the debtor and the case trustee. The order must include the same information required in the motion, as listed above. If a filer has any questions about the refund process or filing fees generally, he/she may contact the Budget/Finance Analyst at wendy_pena@gas.uscourts.gov or 912-650-4139.

Upon verification of the error and granting of the motion, the refund shall be processed back to the same credit card or account from which the erroneous payment was made. A refund to a case trustee will be made by Electronic Funds Transfer (EFT) or check. A refund to a debtor will be made by check. The refund shall be entered on the docket for recording purposes.

In the event a particular attorney or law firm continues to make repeated mistakes when submitting fees and requesting refunds, the court may consider remedial

action, such as issuing an order to show cause why further requests for refunds should be considered.

B. Erroneous Electronic Filing for Which a Fee Has Been Incurred But Not Yet Paid

If an electronic filer discovers that he/she has made an erroneous filing for which a fee has been incurred but not yet paid, the court may correct the erroneous filing administratively and not collect the fee. In this instance, the filer should send an email request to the Budget/Finance Analyst at wendy_pena@gas.uscourts.gov in the following format:

Please remove the filing fee of \$_____ that was incurred in error on [date] in the case of In re: [debtor name], [case number], and related to docket entry number _____. To my knowledge, the error occurred because _____.

Revised August 24, 2017