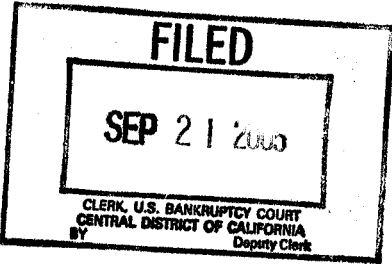


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CLERK'S OFFICE ELECTRONIC } GENERAL ORDER 05-01  
SYSTEMS REFUND POLICY }  
\_\_\_\_\_ )**

**WHEREAS** the Judicial Conference of the United States' current policy, JCUS-MAR 49, generally prohibits refunds of fees due upon filing, 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 approved guidance for the courts regarding the refund of fees that are paid electronically; and

**WHEREAS** such guidance provides that courts should develop procedures for addressing refunds of electronic payments; refunds should be requested by motion or application; the decision whether to refund is a judicial determination that may be delegated to the clerk, as long as procedures clearly address the types of refunds clerks may authorize; and refunds should be processed electronically, not through checks;

**IT IS HEREBY ORDERED that:**

1. The Executive Officer/Clerk of the United States Bankruptcy Court, Central District of California has the authority to approve refunds for fees paid electronically for monies collected by or paid to the Court in error, such as duplicate charges or electronic system errors.

1           2.       In instances where the Court discovers an error, the Executive Officer/Clerk may  
2 automatically initiate a refund.

3           3.       Claimants seeking a refund must submit a written application in the form of a  
4 letter with the supporting documentation set forth below. The letter must include the name,  
5 address, and telephone number of the party requesting the refund. In support of the refund  
6 request, the following documentation generated from the Court's electronic case management  
7 system must be enclosed: the receipt for payment of fees and the *Notice(s) of Electronic Filing*.  
8 The letter and supporting documentation should be sent to the following address:

9  
10                               Financial Services Department  
11                               United States Bankruptcy Court  
12                               255 East Temple Street, Suite 1067  
13                               Los Angeles, CA 90012

14           4.       Refunds will be processed through the electronic credit card system. Refund  
15 checks will not be issued.

16           5.       If a claimant's refund request is denied, the claimant may seek reconsideration of  
17 the request from the judge presiding over the case in which the subject document was filed by  
18 filing a motion to that effect.

19           6.       In the event that a particular attorney or law firm continues to make repeated  
20 mistakes when submitting fees and repeatedly requests refunds, the Court will consider  
21 remedial action and may issue an order to show cause as to why further requests for refunds  
22 should be considered.

23 DATED: September 21, 2005

24  
25  
26  
27  
28  
  
**BARRY RUSSELL**  
Chief Judge, United States Bankruptcy Court