

Motion for Refund of Filing Fee – Bankruptcy and Adversary

Docketing Event

- Bankruptcy > Motions/Applications/Objections > Motion for Refund of Fee Payment
 - Adversary > Motions/Applications/ > Motion for Refund of Fee Payment
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Negative Notice: N/A

Accompanying Orders: Yes.

Code and Rule References:

N/A

Fee: N/A

Applicable Chapters: 7, 11, 12, 13

Implemented: 07/26/2018

Last Revision: 3/26/2021 11:42:14 AM

Description

A refund of a filing fee may be allowed in very limited circumstances. If a party wishes to request a refund of a fee due to an erroneous filing, duplicate payment, or some other unusual circumstance, a Motion for Refund of Filing Fee must be filed. The Motion must list the specific reason for the request and must be filed in the case in which the fee was paid. If the fee was paid by check or money order, the motion must be accompanied by a completed AO Form 213P that will be docketed **after** the motion is filed.

Specific language must be included in the order granting the Motion, so the proposed order must substantially comply with the sample order provided below.

Filing Checklist

Review the Motion for Refund of Filing Fee to determine if it:

- Is signed;
- Has the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF;
- Lists the movant's name;
 - ❖ **Note:** Movant's name must be the name of the individual who paid the filing fee.
- Lists the reason(s) the filing fee should be refunded;
- Is accompanied by a separately filed and completed AO Form 213P if fee was paid by check or money order; and
- Is properly served and includes a proper certificate of service.

Supporting Documents:

- DO NOT** attach supporting documents to the Motion. After Motion is filed, Supporting Documents should be uploaded under the following docketing events:
 - Bankruptcy > Miscellaneous > Supporting Documentation for Motion for Refund of Filing Fee; or

- Adversary > Miscellaneous > Supporting Documentation for Motion for Refund of Filing Fee

Review the proposed order to determine if it substantially complies with the sample order provided in this procedure. Upload the proposed order simultaneously with the Motion.

Forms

[Motion for Refund of Filing Fee](#)

[Motion for Refund of Filing Fee \(Adversary\)](#)

[Order Granting Motion for Refund of Filing Fee](#)

[Order Granting Motion to Refund of Filing Fee \(Adversary\)](#)

Supporting Documents

[AO 213P](#)