

Procedures For Payment of Filing Fees in CM/ECF

(Internet Credit Card Processing)

Overview

Internet Credit Card Processing was incorporated as a new enhancement to CM/ECF on December 1, 2003. Previously, most CM/ECF registered users maintained a credit card account number on file with the Clerk's Office for payment of filing fees incurred during filing in CM/ECF. With this new enhancement, attorney filers now pay any incurred filing fees in CM/ECF with a credit card at the time of filing or by the close of business. The Court no longer maintains a file with the user's credit card account number.

Upon the successful completion of filing a document which requires the payment of a filing fee (i.e. filing a bankruptcy petition), the filer will immediately be offered the option to **Pay Now**, or **Continue Filing** and close their account at the end of the day

Attorneys and their staff should be prepared to have credit card information on hand at the time of e-filing any pleading which requires a filing fee. The system does not retain your account information. The Court accepts the following credit cards for payment: American Express, Discover, Diner's Club, VISA and MasterCard.

Benefits to the Bar

- Receive a receipt number immediately upon charging your credit card
- Review your internet credit card transaction payment history at any time
- Review any outstanding payments due to the Court at any time
- Make online payments of unpaid balances at any time

Instructions

Upon completion of e-filing a pleading which requires a filing fee, a pop-up credit card payment window will appear on the screen overlaying the CM/ECF Notice of Electronic Filing. You must enable pop-ups in order for the screen to appear. This screen will contain the new filing fee charge and any other outstanding CM/ECF filing fees. You must select one of the following options: **Pay Now** or **Continue Filing**.

Pay Now

If you choose to **Pay Now**, you will be electronically connected to the U.S. Treasury site, Pay.Gov. You will be prompted to "Enter Payment Information". The filer's name, first address line, and zip code will appear as shown in CM/ECF. Please note that changing any of these address fields on the Pay.Gov screen does not affect your address as it appears in CM/ECF*. You must enter the following credit card information: 1.) Card Type (i.e. Visa),

2.) Card Number, and 3.) Expiration Date. In the field titled "Security Code", you may enter the three numbers on the back of the credit card; however, this is not a required field. All fields marked with a red asterisk (*) are required fields. Once all information has been entered, click on the [Continue] button. If you receive a message stating "Errors were found in your request", make the required changes/enter the required information directly on this page, then click on the [Continue] button.

The "Payment Summary and Authorization" screen will appear next. **You must authorize payment by checking the box next to "I authorize a charge to my card account for the above amount in accordance with my card issuer agreement."** If you wish to have a confirmation e-mail sent to you, enter your e-mail address in the space provided on this screen (note: You may also print the transaction receipt for your records. The transaction receipt will appear at the conclusion of the transaction). Once you've checked the box (and entered your e-mail address if desired), click the "Make Payment" button ONLY ONCE. **Clicking this button more than once could result in multiple charges to your credit card!** If you receive a message that "Errors were found in your request", make the required changes/enter the required information directly on this page, then click on the [Make Payment] button, taking care to click the button only once.

If the credit card transaction is approved, a transaction receipt will appear with the transaction number to confirm payment. It is recommended that you print a copy of this for your records. Click the "Close Window" button to return to CM/ECF. If the payment is declined, contact the card-issuing bank to determine why the card was declined. If this issue can not be resolved, call the Court's main number (302) 252-2900 to make an alternate form of payment. **If payment was not declined but a transaction receipt does not appear, call the Court's main number with the transaction number and ask to speak with a cashier to confirm that payment was not tendered.** UPDATED

Continue Filing

Selecting **Continue Filing** allows you to continue filing in CM/ECF and accumulate any filing fees incurred during the day. This allows you the option to pay all filing fees at once upon completing filing for the day. If this option is chosen, you will be returned to CM/ECF to continue filing.

Upon the completion of each additional filing, you will receive the pop-up credit card payment window on the screen overlaying the CM/ECF Notice of Electronic Filing. This pop-up window will contain a summary of the current charges that remain outstanding. To close your account at any time, click the "Pay Now" option and proceed as instructed above.

All accounts should be closed out (paid in full) on the same day as the fee was incurred by the close of business. If payment is not received on the day of filing, you will receive an e-mail the following morning indicating that your fees are outstanding and must be paid. If you fail to pay by 7 a.m. the following day (two days post filing), you will be prevented from further e-filing until the fee is paid.

You may close out your account at any time by running the "Internet Payments Due" report. See the section titled "Reports" for more information.

** You can change your mailing address in CM/ECF in [Utilities] > [Maintain your ECF Account].*

Exemptions (Federal Agencies)

No filing fees under the Schedule of Fees shall be charged to federal agencies or programs which are funded from judiciary appropriations. If you are e-filing a pleading which entails a fee on behalf of such an agency or program, e-mail the Court's Help Desk at helpdeskde@deb.uscourts.gov immediately upon completion of filing the pleading. Provide the case number, the docket number of the pleading, an explanation as to why you are exempt from paying the filing fee, and a request to clear the fee from your CM/ECF account. Please note that failure to e-mail the Court, will result in loss of your e-filing privileges until the pending fee is resolved. If the Clerk's Office determines the request is valid, the pending fee will be removed from your CM/ECF account. If it is determined that the fee is still due, a representative of the Clerk's Office will contact you.

Deferrals (Case Trustees)

Case Trustees deferring a filing fee for a particular pleading shall e-mail the Court's Help Desk at helpdeskde@deb.uscourts.gov immediately upon completion of filing the pleading. Provide the case number, the docket number of the pleading, an explanation as to why you are deferring payment of the filing fee, and a request to clear the fee from your CM/ECF account. Please note that failure to e-mail the Court, will result in loss of your e-filing privileges until the pending fee is resolved. If the Clerk's Office determines the request is valid, the pending fee will be removed from your CM/ECF account. If it is determined that the fee is still due, a representative of the Clerk's Office will contact you.

Motion for Waiver of Filing Fees

If filing a Motion for Waiver of a Filing Fee for a pleading that requires a filing fee, the filing fee must be paid at the time of filing the pleading. If the Motion for Waiver of the Filing Fee is granted by the Court, the filing fee will be refunded.

Refund Policy for Fees Pending or Paid for in Error

Fee Not Yet Paid

If you discover an erroneous filing (i.e. wrong CM/ECF event was chosen, duplicate filing, etc.) for which a fee HAS NOT YET BEEN PAID, immediately e-mail the Court's Help Desk at helpdeskde@deb.uscourts.gov. Provide the case number, the docket number of the pleading, an explanation as to why you are requesting the pending fee be removed from your account, and a request to clear the fee from your CM/ECF account. Please note that failure to e-mail the Court in a timely manner will result in loss of your e-filing privileges until the pending fee is resolved. If the Clerk's Office determines the request is valid, the pending fee will be removed from your CM/ECF account. If it is determined that the fee is still due, a representative of the Clerk's Office will contact you.

Fee Already Paid

If you discover an erroneous filing (i.e. wrong CM/ECF event was chosen, duplicate filing, etc.) for which a fee HAS ALREADY BEEN PAID, you must motion the Court if you wish to

pursue a refund. This policy is in accordance with the Judicial Conference guidance for the refund of fees that are paid electronically.

The motion must include the case number, the docket number of the pleading, the transaction number (receipt number) for the payment, and an explanation as to why you are requesting a refund. The motion shall be e-filed in CM/ECF as follows: [Bankruptcy] > [Motions/Applications] > [Motion to Approve Refund of Filing Fee]. A notice of hearing must be included in accordance with the presiding judge's procedures.

A refund will only be issued upon entry of a Court order granting a refund.

Alternate Forms of Payment

Alternate forms of payment may be accepted on a case-by-case basis, and, wherever possible, should be pre-arranged prior to filing. To arrange to make an alternate payment, call the Court's main number (302)252-2900, and ask to speak with a cashier.

Reports

Two new reports will be available from the [Utilities] menu in CM/ECF: Internet Payment History and Internet Payments Due.

The Internet Payment History report allows you to review your completed credit payments over any specified period of time. This report may be helpful to run for reconciliation purposes.

The Internet Payments Due report allows you to review all outstanding (pending) fees and to pay those fees immediately without e-filing another pleading. There are no selection screens or sort options offered. The report displays each pending fee and allows you to Pay Now or Continue Filing.

Miscellaneous Tips & Troubleshooting

1. For the current Schedule of Fees, refer to the **Filing Fees** section of the Court's website
2. If you are not receiving the pop-up box that prompts for credit card information, check to make sure you don't have a browser pop-up blocker enabled.
3. If you receive an error message when making a payment, or if it doesn't appear your payment was accepted, run the "Internet Payments Due" report to see if your fee is still listed as pending (see "Reports" section above). If the fee still shows as pending, you can choose "Pay Now" to make the payment. Please contact the Court at the number below if you wish to ensure payment has been received or if you have any questions regarding errors received while attempting to make payment.
4. When filing a petition (opening a new bankruptcy case), do not change the fee amount displayed unless you will be filing an Application to Pay the Filing Fee in

Installments. If you intend to file an Application to Pay the Filing Fee in Installments, change the dollar amount to the amount of the first installment payment, which must be an amount greater than zero; or

5. When filing an Application to Proceed Informa Pauperis in a Chapter 7 case, no payment is due at the time of filing the petition. If the application is denied, the order will specify the terms of payment.

Contact Information

If you have any questions regarding this procedure, please contact the Court's Help Desk at (302) 252-2887. For technical problems, please contact the Court's Automation Department at (302) 252-2949.

The Court appreciates your continued support and participation as we continue to provide enhancements to the CM/ECF program.

*Effective:
December 1, 2003*

Updated:

July 24, 2008 to include instructions for verifying payment if a transaction receipt is not displayed.

February 7, 2007 to include Exemptions (Federal Agencies), Deferrals (Case Trustees), Motion for Waiver of Filing Fees, Refund Policy for Fees Pending or Paid for in Error, and information regarding filing an IFP Application (under Miscellaneous Tips).

October 15, 2004 to include Miscellaneous Tips section