

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1951 (Dixon)
Version: March 19, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ME

SUBJECT

Civil actions: filing fees: refunds

DIGEST

This bill modernizes court filing fee statutes.

EXECUTIVE SUMMARY

Court filing fee statutes were enacted when paper checks were used for payment. This bill modernizes court filing fee statutes. It does this by applying existing insufficient payment procedures and procedures for voided filings to electronic payment methods, including credit cards. The bill also requires that refunds include transaction identifiers to allow traceability. The bill ensures that procedures for insufficient payments, voided filings, and refunds are consistent regardless of how the litigant pays the fees.

This bill is author sponsored and supported by the Coalition for Improving Court Access and the Civil Justice Association of California. There is no known opposition to the bill. Should AB 1951 be approved by this Committee, it will then be referred to the Senate Appropriations Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that if a court clerk accepts payment for filing a complaint or other first paper, or any subsequent filing, and payment is made in an amount less than the required fee or by check that is later returned without payment, the clerk must notify the party who tendered the check that: (1) the check was made out for an amount less than the required filing fee or has been returned without payment, whichever is applicable; (2) an administrative charge has been imposed to reimburse the court for the costs of processing the partial payment or returned check and for

providing the specified notice; and (3) the party has 20 days from the date of mailing the notice to pay the filing fee and administrative charge, except as specified. (Civ. Proc. Code § 411.20 (a).)

- 2) Requires the clerk to void the filing if the party who tendered the returned check or the check in less than the required filing fee has not paid the full amount of the fee and the administrative charge within the 20-day period described above. (Code Civ. Proc. § 411.20 (b).)
- 3) Provides that if the clerk performs a service or issues a document for which a fee is required and payment is made by check that is later returned without payment, the court may order further proceedings suspended as to the party for whom the check was tendered, and shall notify the party who tendered the check that proceedings have been suspended until receipt of payment of the required fee and the administrative charge by specified methods, but not by personal check or traveler's check. (Code Civ. Proc. § 411.20 (f).)
- 4) Provides that if an electronic filing is made to the clerk by an electronic filing service provider acting as the agent of the court for purposes of collecting and remitting filing fees, and fees owed to the electronic filing service provider remain unpaid for 5 days after notice to the attorney of record, the court clerk may notify the attorney of record that the attorney of record may be sanctioned for nonpayment of fees. (Code Civ. Proc. Code § 411.20.5.)
- 5) Authorizes the court to sanction the attorney of record if fees to the electronic service provider remain unsatisfied 20 days after notice by the clerk. (Code Civ. Proc. § 411.20.5)

This bill:

- 1) Applies the provisions described in 1) to 5), above, to filing fees paid by credit card, electronic funds transfer, as defined, or any other means of payment approved by the court.
- 2) Provides that if the fees to the electronic filing service provider remain unsatisfied 20 days after notice by the clerk, the clerk is instead required to refund the electronic filing service provider, and to follow the procedures described above, as specified.

COMMENTS

1. Stated need for the bill

According to the author:

AB 1951 addresses inconsistency in California's electronic payment and filing practices by making a host of necessary clarifying changes to existing statutes. Specifically, this bill will apply existing insufficient funds and voided filing procedures to credit cards, electronic funds transfers and other court-approved payment methods. This legislation will also confirm that filings are voided when required fees are not paid within statutory deadlines, update refund related provisions to ensure that refunds are properly issued and traceable, and provide clear definitions of ACH debits, ACH credits and electronic funds transfers.

This commonsense bill will promote transparency, fairness, and administrative efficiency while protecting due process and aligning statutes with how courts and filers operate today.

2. Updates statutes to accommodate modern payment methods used for court filing fees

Current procedures for courts to follow when filing fee payments are not complete or when checks are returned for insufficient funds are detailed in the statutes. Under existing law, the clerk must notify the party and impose an administrative charge. The litigant is also provided 20 days to fix the issue before the filing is voided. This bill is aimed at modernizing the statutes and does this by extending the same procedures and timelines to credit card payments, ACH transactions, and other electronic payment methods. E-Filing Service providers have expressed difficulties matching electronic refunds to the original filing. Accordingly, this bill requires courts to include a transaction identifier with any refund in an effort to improve traceability.

The Coalition for Improving Court Access writes the following in support of the bill:

California courts now routinely accept filing fees through checks, credit cards, and electronic funds transfers, often through e-Filing Service Providers acting as agents of the court. However, the statutes governing insufficient funds, voided filings, sanctions, and refunds were largely drafted for a paper-check environment. As a result, the current statutory framework does not consistently address credit card chargebacks or ACH reversals and may result in different treatments of attorneys and self-represented litigants when filing fees remain unpaid.

In addition, electronic filing service providers often face challenges identifying and processing electronic refunds because transaction descriptions may lack sufficient case or envelope information. This can leave EFSPs with refund checks that do not indicate the client or case associated with payment, creating confusion and administrative burdens.

AB 1951 updates and clarifies court filing fee statutes to reflect modern electronic payment and filing practices. Specifically, the bill applies existing insufficient funding and voided-filing procedures to credit cards, electronic funds transfers, and other court-approved payment methods; confirms when filings must be voided if required fees are not paid within statutory timelines; improves refund procedures to ensure payments are traceable; and adds clear statutory definitions related to electronic funds transfers.

These commonsense updates will promote transparency, fairness, and administrative efficiency while aligning statute with how courts and filers operate today.

According to the Civil Justice Association of California in support of the bill:

AB 1951 provides an important technical update to California's court filing fee statutes, so they better reflect the modern reality of electronic filing and electronic payment systems. While courts now routinely accept payments through checks, credit cards, and electronic transfers, many of the governing statutes were written for a paper-check environment and do not clearly address issues such as credit card chargebacks or ACH reversals. This lack of clarity can create inconsistent treatment of filings and administrative complications for courts, litigants, and electronic filing service providers.

CJAC supports AB 1951 because it promotes transparency, fairness, and administrative efficiency in how filing fee payments are processed. The bill applies existing insufficient funds procedures to credit cards, ACH, and other court-approved payment methods, clarifies when filings are voided when required fees remain unpaid, and updates refund-related provisions to better accommodate electronic payments.

SUPPORT

Civil Justice Association of California
Coalition for Improving Court Access

OPPOSITION

None known

RELATED LEGISLATION

Pending legislation: None known.

Prior legislation: AB 1531 (Berman, Ch. 248, Stats. 2018) provided that, in case of a duplicate payment by a party or an electronic filing service provider submitting a payment on behalf of a party, the court shall issue any appropriate refund to the entity that made the most recent payment. The bill provided a mechanism whereby the court can sanction the attorney of record if fees to the electronic service provider remain unpaid 20 days after a specified notice is provided to the filer.

PRIOR VOTES:

Assembly Floor (Ayes 74, Noes 0)

Assembly Appropriations Committee (Ayes 13, Noes 0)

Assembly Judiciary Committee (Ayes 12, Noes 0)
