

# IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 01- 9215

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## ORDER APPROVING LOCAL RULES FOR ELECTRONIC FILING IN THE DISTRICT AND COUNTY COURTS OF HARTLEY COUNTY

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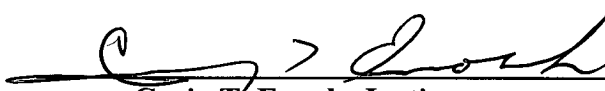
ORDERED that:

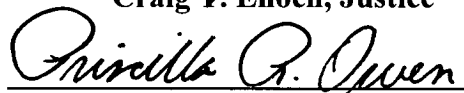
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the following Local Rules for Electronic Filing in the District and County Courts of Hartley County are approved. This approval is temporary pending further orders of the Court.


SIGNED AND ENTERED this 18<sup>th</sup> day of December, 2001.

  
\_\_\_\_\_  
Thomas R. Phillips, Chief Justice

  
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Nathan L. Hecht, Justice

  
\_\_\_\_\_  
Craig T. Enoch, Justice

  
\_\_\_\_\_  
Priscilla R. Owen, Justice

  
\_\_\_\_\_  
James A. Baker, Justice

*Deborah G. Hankinson*

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**Deborah G. Hankinson, Justice**

*Harriet O'Neill*

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**Harriet O'Neill, Justice**

*Wallace B. Jefferson*

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**Wallace B. Jefferson, Justice**

*Xavier Rodriguez*

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**Xavier Rodriguez, Justice**

ORDER ESTABLISHING A SYSTEM FOR  
FAX FILING OF DOCUMENTS IN  
HARTLEY COUNTY, TEXAS

The District Court and County Court of Hartley, County, Texas hereby adopt the following system for the electronic filing of documents by the District or County Clerk of Hartley County.

1. The District or County Clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) returns of service on issuances; (b) bonds; or (c) signed orders or judgments; or (d) wills.

2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed.

3. No document electronically transmitted shall be completely filed until court costs and fees have been paid. Court cost and fees may be paid by MasterCard or Visa. Documents tendered to the clerk electronically without payment of court cost and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules may be stricken if such defects are not promptly corrected.

4. A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the Court.

5. An electronically transmitted document accepted for filing will be recognized as the original record for file or for evidentiary purposes when it bears the clerk's official date and time file stamp.

6. Local rules governing implementation of this electronic filing system are hereby adopted as follows:

A. Every document electronically transmitted for filing shall conform to the requirement for filing established by the Texas Rules of Court, ie. shall be in writing, signed by an attorney of record in his individual name, with his State Bar of Texas identification number, address, telephone number and tele-copier number. The quality of the original hard copy shall be clear and dark enough to legibly transmit.

B. The sender shall maintain the original hard copy with the original signature affixed as required by Section 51.806, Texas Government Code.

C. A cover sheet must accompany every transmission and shall:

(1) clearly identify the sender, the documents being transmitted, and the number of pages;

(2) have clear and concise instructions concerning issuance or other request; and

(3) have complete information on the charge card authorization for court cost and fees.

D. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

E. The clerk when satisfied that the transmission is complete shall confirm the credit card authorization and note the authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed completely filed and the clerk shall affix the clerk's official date and time file stamp to the document.

F. If the transmission is found to be incomplete or court cost or fees, if required, are not paid, the clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason.

G. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing, together with cost receipt, if any.

H. No citation or writ bearing the official seal of the court may be transmitted electronically.

I. Electronic transmission of a document does not complete filing. Filing is complete when the clerk's official date and time file stamp is affixed to the document.

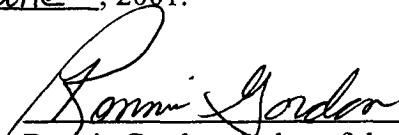
J. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the last page of the document will determine the time of receipt but not time of filing. Transmissions completed during a normal business day before 5:00 p.m. and accepted for filing will be filed on the day of receipt. Transmissions completed after 5:00 p.m., on weekends, or holidays will be verified and filed before 10:00 a.m. on the first business day following receipt of transmission. The sender is responsible for determining if there are any changes in normal business hours.

It is therefore ORDERED that this system for electronic filing of documents in the District Court and County Court of Hartley County, Texas be, and the same is adopted, effective upon approval by the Supreme Court of Texas for approval as provided by Section 51.807, Texas Government Code; and that upon approval by the Supreme Court of Texas the same be placed upon the Minutes of the District Court and County Court of Hartley County, Texas.

SIGNED this the 26th day of June, 2001.



Ron Enns, Judge of the 69th  
Judicial District Court  
Hartley County, Texas



Ronnie Gordon, Judge of the  
County Court  
Hartley County, Texas



# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

JUSTICES  
NATHAN L. HECHT  
CRAIG T. ENOCH  
PRISCILLA R. OWEN  
JAMES A. BAKER  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
WALLACE B. JEFFERSON  
XAVIER RODRIGUEZ

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

December 19, 2001

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

A D M I N I S T R A T I V E  
ASSISTANT  
NADINE SCHNEIDER

Hon. Ron Enns  
Admin. Judge and Judge  
69th District Court  
715 S. Dumas, #302  
Dumas, Texas 79029-2700

Dear Judge Enns,

Please find enclosed, a copy of the order of the Supreme Court that approved local rules for the district and county courts of Hartley County.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

Encl.

cc: Hon. Ronnie Gordon  
County Court

Hon. Kelly Moore  
9th Admin Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

State Law Library