

# IN THE SUPREME COURT OF TEXAS

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Misc. Docket No. 04-9084

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**APPROVAL OF RULES GOVERNING THE PROCEDURE FOR THE DISTRICT  
AND COUNTY CLERK OF MARTIN COUNTY  
TO RECEIVE AND FILE ELECTRONICALLY TRANSMITTED COURT  
DOCUMENTS**

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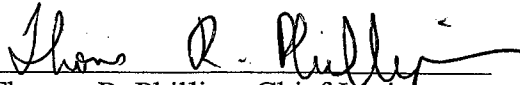
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ORDERED that:


Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the attached rules submitted to this Court by Robert H. Moore III, judge of the 118th Judicial District for Martin County, and Charles T. Blocker, judge of the County Court of Martin County.

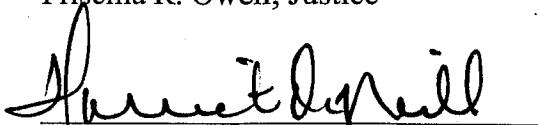
This Order shall be effective when recorded in the Minutes of the District and County Court of Martin County.

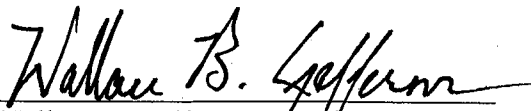
SIGNED AND ENTERED this 4<sup>th</sup> day of May, 2004.


  
Thomas R. Phillips, Chief Justice


  
Nathan L. Hecht, Justice


  
Priscilla R. Owen, Justice

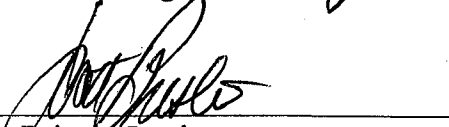
  
Harriet O'Neill, Justice

  
Wallace B. Jefferson, Justice

  
Michael H. Schneider, Justice

  
Steven Wayne Smith, Justice

  
J. Dale Wainwright, Justice

  
Scott Brister, Justice

Misc. Docket No. 04-9084

**ORDER ESTABLISHING A SYSTEM FOR  
ELECTRONIC FILING OF DOCUMENTS IN  
MARTIN COUNTY, TEXAS**

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

1. The 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; (c) signed orders or judgments.
2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed by a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.
3. No document electronically transmitted shall be accepted by the clerk for filing until court costs and fees have been paid. Court costs and fees may be paid by check. Documents tendered to the clerk electronically without payment of court costs and fees or which do not conform to applicable rules, will not be filed.
4. A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the local courts.
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. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring approximately 8-1/2 x 11 inches, shall be signed individually by the party or the party's attorney of record, and shall contain that individual's State Bar of Texas identification number, if any, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to transmit legibly.
7. The sender shall maintain the original of the document with original signature affixed as required by section 51.806, Texas Government Code.
8. A cover sheet must accompany every transmission which shall: (a) clearly identify the sender, the documents being transmitted, and the number of pages; and (b) have clear and concise instructions concerning issuance or other request.
9. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

10. The clerk when satisfied that the transmission is complete and deemed accepted for filing shall affix the clerk's official date and time file stamp to the document.

11. If the transmission is found to be incomplete, the clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason.

12. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing.

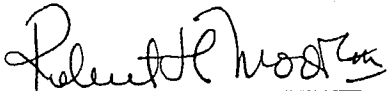
13. No citation or writ bearing the official seal of the court may be transmitted electronically.

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

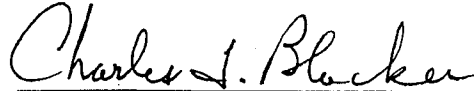
15. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the last page of a document will determine the time of receipt but not the time of filing. Transmissions completed during a normal business day before 5:00 pm and accepted for filing will be filed on the day of receipt. Transmissions completed after 5:00 pm, 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 Martin County, Texas be, and the same is adopted, effective upon approval by the Supreme Court of Texas; that a copy hereof shall be furnished to 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 Martin County, Texas.

SIGNED this the 22 day of July, 2002.



Robert H Moore III, Judge of  
the 118th Judicial District for  
Martin County, Texas



Charles T Blocker, Judge of  
the County Court for Martin County,  
Texas

APPROVED BY THE SUPREME COURT BY ORDER DATED \_\_\_\_\_.

**RULES GOVERNING THE PROCEDURE FOR THE  
DISTRICT AND COUNTY CLERK OF MARTIN COUNTY  
TO RECEIVE AND FILE  
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

The following rules govern the procedure for the District Clerk and County Clerk of Martin County ("the clerk") to receive and file electronically transmitted court documents.

1. The 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; (c) signed orders or judgments.

2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed by a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.

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6. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring approximately 8-1/2 x 11 inches, shall be signed individually by the party or the party's attorney of record, and shall contain that individual's State Bar of Texas identification number, if any, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to transmit legibly.

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