

# **IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 96- 9253

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

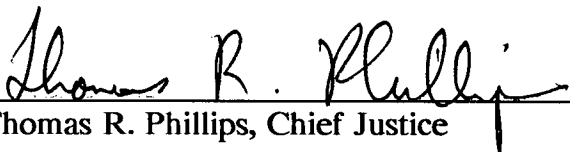
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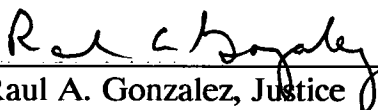
**ORDERED:**


At the request of the District Clerk of Llano County, the attached rules are adopted governing the procedure for the District Clerk of Llano County to receive and file electronically transmitted court documents. TEX. GOV'T CODE §§ 51.803, 51.807.

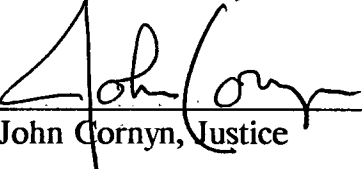
This Order shall be effective when recorded in the Minutes of the 33rd District Court of Llano County, and upon compliance with Texas Rule of Civil Procedure 3a.

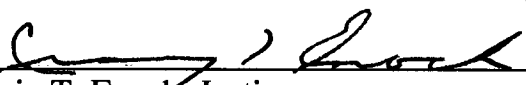
SIGNED AND ENTERED this 6<sup>th</sup> day of December, 1996

  
Thomas R. Phillips, Chief Justice


  
Raul A. Gonzalez, Justice

  
Nathan L. Hecht, Justice

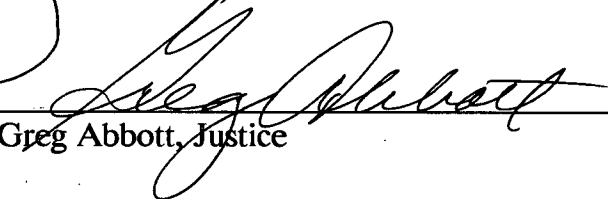
  
John Cornyn, Justice

  
Craig T. Enoch, Justice

  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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CLERK  
JOHN T. ADAMS

EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST  
NADINE SCHNEIDER

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

December 11, 1996

Hon. Clayton E. Evans  
33rd District Court  
220 S. Pierce  
Burnet, Texas 78611

Dear Judge Evans,

Please find enclosed, a copy of the order of the Supreme Court that approved local rules for the District Clerk of Llaano County.

Sincerely,

John T. Adams  
Clerk

Encl.

cc: Hon. B. B. Schraub  
3rd Admin Judicial Rgn

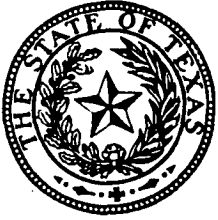
District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict  
Office of Court Admin

State Law Library



# LLANO COUNTY DISTRICT CLERK

DEBBIE HONIG  
P. O. Box 877  
801 Ford Street  
Room 209  
Llano, Texas 78643  
(915) 247-5036

August 16, 1996

The Supreme Court of Texas  
Capitol Station  
P.O. Box 12248  
Austin, Texas 78711

Honorable Justices:

I am submitting for your approval the proposed plan for the receiving and filing of electronically transmitted court documents in the 33rd Judicial District Court of Llano County.

Your consideration is greatly appreciated. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Honig".

Debbie Honig, District Clerk

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

The 33rd Judicial District Court of Llano County, Texas hereby adopts the following system for the electronic filing of documents by the District Clerk of Llano County.

1. The District Clerk is authorized to accept for filing via electronic transmission, any documents which might be filed in a court action except: (a) returns of service on issuances; (b) bonds; or (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 shall be paid by MasterCard or Visa. Documents tendered to the clerk electronically without payment of court costs and fees, or with incomplete information on the charge authorization or request, 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 Court.

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

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

A. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, ie. , shall be in writing, on paper measuring approximately 8-1/2 by 11 inches, signed by the attorney of record in his individual name, with his State Bar of Texas identification number, address, telephone number and telecopier 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: (a) clearly identify the sender, the documents being transmitted, and the number of pages; (b) have clear and concise

instructions concerning issuance or other request; and (c) have complete information on the charge card authorization to the clerk 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 authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed accepted for filing 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 constitute filing. Filing is complete when the clerk's official date and time stamp is affixed to the document.

J. Each page of any document received by the clerk will be automatically imprinted with the date of time of receipt. The date and time imprinted on the last page of a 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 33rd Judicial District Court of Llano County, Texas be, and the same is adopted effective upon approval by the Supreme Courts 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 upon approval by the Supreme Court of Texas the same be placed upon the Minutes of the District Court of Llano County, Texas.

SIGNED this the 13 day of AUGUST, 1996.

  
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Clayton E. Evans, District Judge  
33rd Judicial District Court  
Llano County, Texas