

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 96- 9255

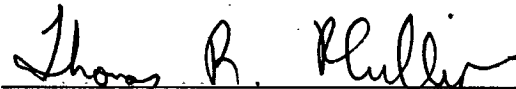
**APPROVAL OF RULES GOVERNING THE PROCEDURE
FOR THE DISTRICT CLERK OF JEFFERSON COUNTY TO RECEIVE AND FILE
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

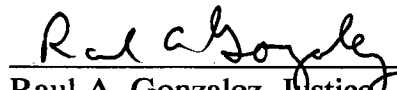
ORDERED:


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

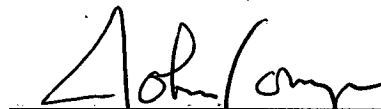
This Order shall be effective when recorded in the Minutes of the District Courts of Jefferson County, and upon compliance with Texas Rule of Civil Procedure 3a.

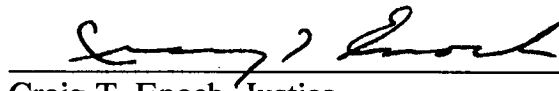
SIGNED AND ENTERED this 6th day of December, 1996



Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice

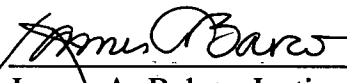

Nathan L. Hecht, Justice

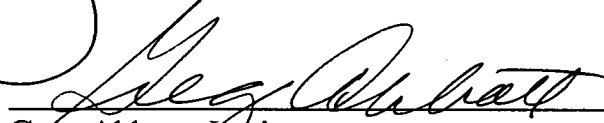

John Cornyn, Justice


Craig T. Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice

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

The District Courts of Jefferson County, Texas, hereby adopt the following system for the electronic filing of documents by the District Clerk of Jefferson County.

1. The District 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.
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 unless court costs and fees are paid within 5 workdays or less of the receipt of the document by the clerk. Court costs and fees may be paid by cash, money order, or firm or personal 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 by the clerk but shall be subject to change as circumstances warrant.
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 (rules of procedure) 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, i.e. shall be in writing, on paper measuring approximately 8½ x 11 inches, signed by an 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 original signature affixed as required by Section 51.806, Texas Government Code and Rule 45, Texas Rules of Court.
 - C. A cover sheet must accompany every transmission and shall:
 - (1) clearly identify the sender, the documents being transmitted, and the number of pages; and
 - (2) have clear and concise instructions concerning issuance or other requests.

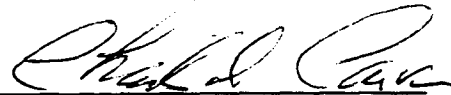
- D. The Clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
- E. If the transmission is found to be incomplete or court costs or fees, if required, are not paid, the Clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason therefor.
- F. After receiving an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgement of the receipt thereof.
- G. No citation or writ bearing the official seal of the court may be transmitted electronically.
- H. Electronic transmission of a document does not constitute filing. Filing is complete only after receipt of the required court cost and fees and when the Clerk's official date and time file stamp is affixed to the document.
- I. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time stamp imprinted on the last page of a document will determine the time of receipt but not time of filing.

It is therefore ORDERED that this system for electronic filing of documents in the District Courts of Jefferson County, Texas, be, and the same is adopted, effective upon approval by the Supreme Court of Texas retroactive to January 1, 1991; 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 Courts of Jefferson County, Texas.


SIGNED this the 13th day of September, 1996.



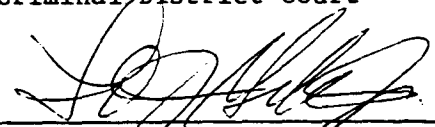
 James W. McHaffy, Jr., Judge
 58th District Court



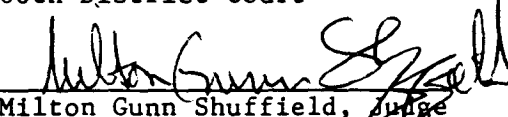
 Charles D. Carver, Judge
 Criminal District Court




 James G. Sanderson, Judge
 60th District Court



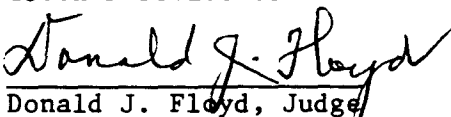
 Leonard J. Giblin, Jr., Judge
 252nd District Court



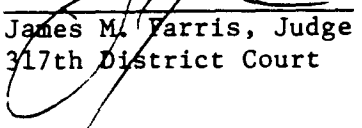
 Milton Gunn Shuffield, Judge
 136th District Court



 Robert P. Walker, Judge
 279th District Court



 Donald J. Floyd, Judge
 172nd District Court



 James M. Farris, Judge
 317th District Court

USER RATES FOR FAX MACHINE

Sending, locally for the first page.....\$3.00
Each additional page..... 1.00
Sending, long distance for the first page..... 5.00
Each additional page..... 1.00
Receiving, for the first page..... 3.00
Each additional page..... 1.00

THE FAX NUMBER FOR THE DISTRICT CLERK'S OFFICE IS 409-835-8527

**DOCUMENTS RECEIVED BY FAX WILL BE CONSIDERED FILED WHEN THEY ARE ACTUALLY
FILE MARKED BY THE DISTRICT CLERK'S OFFICE.**

**JOHN S. APPLEMAN
DISTRICT CLERK**

JOHN S. APPLEMAN
DISTRICT CLERK



P. O. BOX 3707
BEAUMONT, TEXAS 77704
409-835-8580
STS 872-8580
FAX 409-835-8527

BARBARA PRESTON
Chief Deputy

JEFFERSON COUNTY

CHILD SUPPORT
P. O. Box 3586
Beaumont, Texas 77704

September 25, 1996

The Supreme Court of Texas
Mr. John T. Adams, Clerk
P. O. Box 12248
Austin, TX 78711

Dear Mr. Adams:

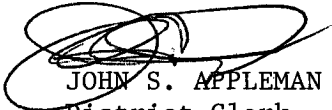
Forwarded herewith is the original of a plan for fax filing which begs approval by the Supreme court.

Even though we began filing via fax in January of 1991, we have been in full compliance with every aspect of the attached plan since that time. Our fee schedule is also enclosed.

In our defense, I thought that Rule 45, TRC, gave blanket approval for fax useage and honestly did not realize we needed a plan approved.

Thanking you in advance, I am

Sincerely yours,


JOHN S. APPLEMAN
District Clerk

file
Encls.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

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

EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

December 11, 1996

Hon. Leonard Giblin, Jr.
252nd District Court
Post Office Box 3707
Beaumont, Texas 77704-3707

Dear Judge Giblin,

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

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Thomas J. Stovall, Jr.
2nd Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library