

IN THE SUPREME COURT OF TEXAS

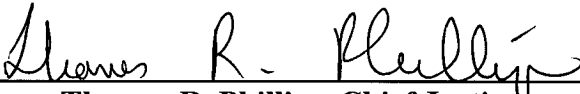
Misc. Docket No. 01- 216

ORDER APPROVING LOCAL RULES FOR ELECTRONIC FILING IN THE COUNTY COURTS OF BRAZORIA COUNTY


ORDERED that:

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

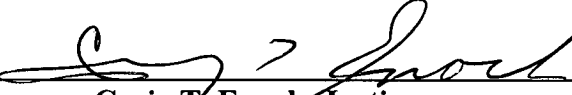
SIGNED AND ENTERED this 18th day of December, 2001.




Thomas R. Phillips, Chief Justice




Nathan L. Hecht, Justice



Craig T. Enoch, Justice



Priscilla R. Owen, Justice



James A. Baker, Justice

Deborah G. Hankinson

Deborah G. Hankinson, Justice

Harriet O'Neill

Harriet O'Neill, Justice

Wallace B. Jefferson

Wallace B. Jefferson, Justice

Xavier Rodriguez

Xavier Rodriguez, Justice

**ORDERS ESTABLISHING RULES GOVERNING THE PROCEDURES FOR THE COUNTY
CLERK OF BRAZORIA COUNTY TO RECEIVE AND FILE ELECTRONICALLY
TRANSMITTED COURT DOCUMENTS**

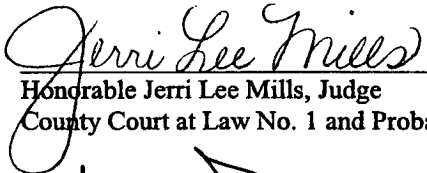
The County Courts of Brazoria County hereby adopt the following rules for electronic filing of documents by the County Clerk of Brazoria County.

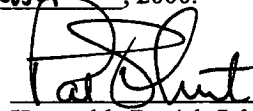
1. The County Clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court-action except:
 - A. Returns of service on issuance
 - B. Bonds
 - C. Orders or judgments signed or to be signed by a Judge
 - D. Any document which requires a signature of a Judge or another person
2. Documents electronically transmitted for filing will be received on a plain paper facsimile. No document printed on thermal paper shall be filed.
3. No Documents electronically transmitted shall be accepted by the clerk unless the sender owes no outstanding court costs or fees to the clerk. Documents which require no filing fee shall be accepted by the clerk for filing. Documents which require a filing fee to be paid shall be accepted by the clerk if the sender has made prior arrangements with the clerk or has arranged to pay such fee with a credit card through Official Payments or through the LegalEase Guaranteed Payment System. If the clerk rejects a filing for nonpayment of fees, the clerk will notify the sender as soon as practicable.
4. A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the County Courts. The clerk may prescribe a reasonable schedule of additional charges for filing documents that do not initially conform to those rules or to the clerk's policies and procedures for fax filing.
5. An electronically transmitted document accepted for filing will be recognized as the original record of file or for evidentiary purposes when it bears the clerk's official date and time file stamp.
6. Every document transmitted for filing shall conform the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring 8 ½ 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. The quality of the original hard copy shall be clear and dark enough to transmit legibly.
7. The sender will maintain the original of the document with the original signature affixed as required by Section 51.806 of the Texas Government Code and Rule 45, Texas Rules of Court.
8. A cover sheet must accompany every transmission which 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.
 - C. Have complete information on the charge authorization for court cost and fees.
9. The Clerk upon receipt of an electronically transmitted document shall verify the *completeness* of the transmission.
10. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing, together with cost receipts, if any.
11. No citation or writ bearing the official seal of the court may be transmitted electronically.

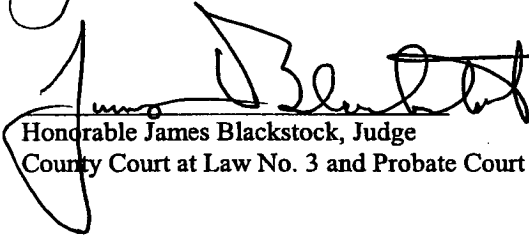
12. Each page of any document received by the clerk's office will be automatically imprinted by the clerk's fax machine, with the date and time of receipt. The date and time imprinted by the clerk's fax machine on the last page of the document will determine the order of filing. The clerk shall affix the clerk's official date and time stamp and file the documents in the order they were received as reflected by the imprinted date and time. Receipt by the clerk's fax machine of the electronic transmission of a document form with the proper charges authorization constitutes filing. Transmission completed during the normal business day before 5:00 PM and accepted for filing will be filed on the day of receipt. Transmission completed after 5:00 PM, on weekends, holidays or on days the Clerks Office is closed will be verified and filed before 10:00 AM on the first business day following receipt of transmission. The sender is responsible for determining if there are changes in normal business hours.

It is therefore ordered that this system for electronic filing of documents in the County Courts of Brazoria County, Texas be and the same 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 County Courts of Brazoria County, Texas.

Signed this the 29th day of December, 2000.


Honorable Jerri Lee Mills, Judge
County Court at Law No. 1 and Probate Court


Honorable Patrick Sebesta, Judge
County Court at Law No. 2 and Probate Court


Honorable James Blackstock, Judge
County Court at Law No. 3 and Probate Court



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

JUSTICES
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PRISCILLA R. OWEN
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DEBORAH G. HANKINSON
HARRIET O'NEILL
WALLACE B. JEFFERSON
XAVIER RODRIGUEZ

December 19, 2001

CLERK
JOHN T. ADAMS

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

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

Hon. Jerri Lee Mills
County Ct at Law #1
111 E. Locust, Rm 504A
Angleton, Texas 77515-4678

Hon. Patrick Sebesta
County Ct at Law #2
111 E. Locust, Rm 214A
Angleton, Texas 77515-4678

Hon. James Blackstock
County Ct at Law #3
111 E. Locust
Angleton, Texas 77515-4678

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

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: District Clerk

County Clerk

Supreme Court Adv Committee

State Law Library