

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 09-; 3; 5

ORDER REQUIRING ELECTRONIC DOCUMENTS IN THE SUPREME COURT

It is hereby ORDERED that:

1. Attorneys must e-mail electronic copies of the following documents to the Clerk of the Court on the same day the original paper documents are filed: (1) petitions; (2) responses to petitions; (3) replies to responses to petitions; (4) briefs on the merits, including respondents' briefs on the merits and petitioners' reply briefs on the merits; (5) amicus briefs; (6) post-submission briefs; (7) motions for rehearing; and (8) emergency motions or motions for stay. The electronic-copy requirement applies to both petition for review proceedings under Rule of Appellate Procedure 53 and original proceedings under Rule of Appellate Procedure 52. But documents submitted under seal or that are the subject of a pending motion to seal should not be submitted electronically.
2. Documents may not be filed by e-mail. Submitting the electronic copy of the original document to the Clerk of the Court does not constitute filing of the document. The electronic copy is for the convenience of the Court, attorneys, parties, and the public.
3. Except for any appendix, electronic copies must be in text-searchable portable document format (PDF) compatible with the latest version of Adobe Acrobat. Original documents should not be scanned, but must instead be directly converted into PDF files using Adobe Acrobat, the word processing program's PDF conversion utility, or another software program. Appendix materials may be scanned if necessary, but scanning documents creates larger file sizes and is to be avoided when possible. Any scanned materials must be made searchable using optical character recognition software, such as Adobe Acrobat. The use of bookmarks to assist in locating appendix materials is encouraged.
4. Electronic copies must be substantively identical to the original documents filed with the Clerk of the Court, unless redacted as described in paragraph 6. Electronic copies may not contain any document or portion thereof that is not included in the original filing. By submitting an electronic copy to the Clerk of

the Court, all attorneys of record for the party submitting the electronic copy represent that the electronic copy is substantively identical to the original filed with the Clerk of the Court, except to the extent the electronic copy has been redacted as described in paragraph 6, and that the electronic copy does not contain any viruses.

- 5. No signature is required on an electronic copy, but a signature may be indicated by typing /s/, inserting a digital image of the signature into the document, or using a digital signature.
- 6. Attorneys submitting electronic copies are responsible for redacting any sensitive or confidential information from the electronic copies, in accordance with the redaction guidelines posted on the Court's website. Electronic copies must not contain a social security number, the name of a minor child, a date of birth, a financial account number, or a home address. The Clerk of the Court will post electronic copies of documents, as well as the redaction guidelines, on the Court's website.
- 7. A party to a proceeding may request that electronic copies posted on the Court's website pursuant to this order be redacted or removed by submitting a letter to the Clerk of the Court. The request must identify with particularity the document(s) to be removed or the information to be redacted and state specific reasons for the request.
- 8. Electronic copies are to be e-mailed to the Clerk of the Court at scebriefs@courts.state.tx.us. Files may not exceed 10 megabytes. Electronic copies larger than 10 megabytes must be divided into smaller files.
- 9. The name of the document being transmitted must appear in the subject line of the e-mail. Electronic copies shall be named as follows when transmitted to the Clerk of the Court:

Case No.	09-0182 (if no Supreme Court case number is available yet, use the court of appeals' case number)
Document Type	pfr (petition for review) mandamus (petition for writ of mandamus) habeas (petition for writ of habeas corpus) response (response to petition) reply (reply to response to petition) petbom (petitioner's brief on the merits) resbom (respondent's brief on the merits) replybom (reply brief on the merits) amicus (amicus brief)

postsub (post-submission)
moreh (motion for rehearing)
mostay (motion for stay)

Name of party	Parties' names need not be included unless there are multiple parties on the same side filing separate briefs; if so, the last name of the first-named party should be included if the first-named party is a person (e.g. Jane Smith would be abbreviated as "Smith"). If the first-named party is an entity, abbreviate the name of the party in a manner that allows for easy identification (e.g. United Insurance Company of North America would be abbreviated as "United"). Amicus briefs shall include the last name of the first-named amicus if amici are individuals or an abbreviation if amici are entities.
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For example, assuming case No. 09-0182 involves one petitioner, an amicus, and two respondents filing separate briefs, the documents would be named as follows:

09-0182.pfr.pdf

09-0182.response.nameofrespondent1.pdf

09-0182.response.nameofrespondent2.pdf

09-0182.reply.pdf

09-0182.petbom.pdf

09-0182.resbom.nameofrespondent1.pdf

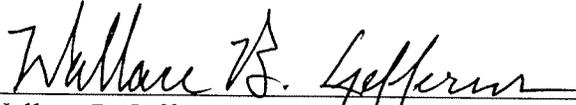
09-0182.resbom.nameofrespondent2.pdf

09-0182.replybom.pdf

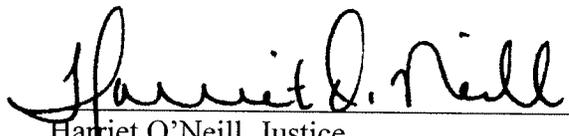
09-0182.amicus.pdf

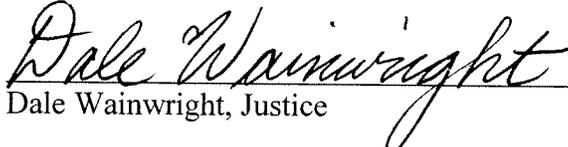
This Order takes effect February 15, 2010.

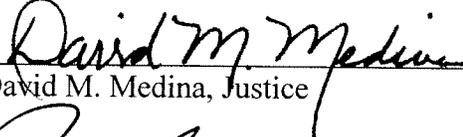
SIGNED this 15th day of December, 2009.


Wallace B. Jefferson, Chief Justice

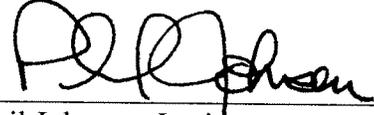

Nathan L. Hecht, Justice

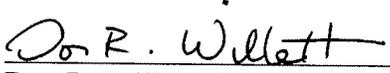

Harriet O'Neill, Justice

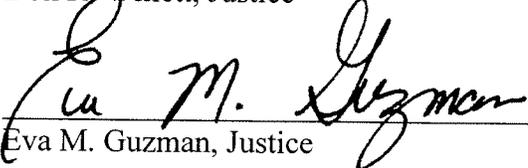

Dale Wainwright, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice


Eva M. Guzman, Justice