

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 92- 0097.

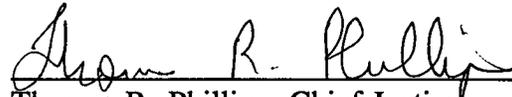
ADOPTION OF RULES FOR PECOS COUNTY FOR RECEIVING AND FILING ELECTRONICALLY TRANSMITTED COURT DOCUMENTS

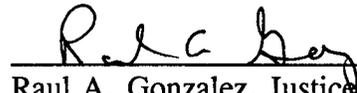
ORDERED:

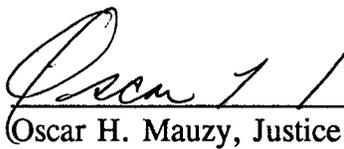
At the request of the District Courts of Pecos County, the attached rules are adopted governing the procedure for the District Clerk of Pecos County to receive and file electronically transmitted court documents. TEX. GOV'T CODE §§ 51.803, 51.807.

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

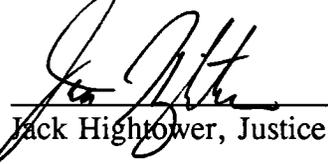
SIGNED AND ENTERED this 14th day of September, 1992.


Thomas R. Phillips, Chief Justice


Raul A. Gonzalez, Justice

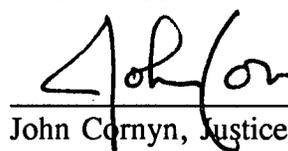

Oscar H. Mauzy, Justice

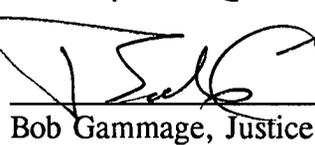

Eugene A. Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice

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

The following rules govern the procedure for the District Clerk of Pecos 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.

3. No document electronically transmitted shall be accepted by the clerk for filing until court costs and fees have been paid. 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 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 shall confirm that any costs due have been paid. 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.

11. 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.

12. 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.

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 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.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

P.O. BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
OSCAR H. MAUZY
EUGENE A. COOK
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
BOB GAMMAGE

EXECUTIVE ASS'T.
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T.
MARY ANN DEFIBAUGH

September 17, 1992

Ms. Peggy Young
District Clerk
400 South Nelson
Fort Stockton, Texas 79735

Dear Ms. Young,

Please find a copy of the order of this Court of September 14, 1992, that approves local rules for receiving and filing electronically transmitted court documents for the district courts of your county.

Please note that the Supreme Court has been approving local rules provisionally. The Court believes that the Uniform Local Rules Committee is nearing completion of its task. You may therefore be asked to further amend your local rules in the not too distant future.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc:
Hon. William E. Moody
6th Admin Judicial Dist

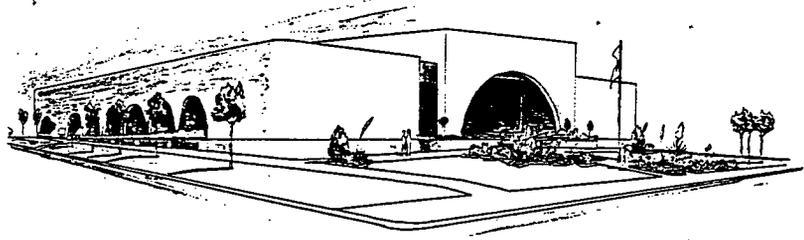
County Clerk

Mr. Ray Judice
Office of Court Admin

State Law Library

Chmn Supreme Ct Adv Committee

County of Pecos



PEGGY YOUNG
DISTRICT CLERK

400 S. NELSON
FORT STOCKTON, TEXAS 79735

JANICE STOCKBURGER
CHIEF DEPUTY

915/336-3503

June 15, 1992

Justice Nathan L. Hecht
Justice, Supreme Court
P. O. Box 12248, Capitol Station
Austin, TX 78711

Dear Sir:

Enclosed for signature you will find the Adoption of Rules for Pecos County for Receiving and Filing Electronically Transmitted Court Documents.

Thank you in advance for your attention to this matter.

Sincerely,

Peggy Young, District Clerk

By:


Janice Stockburger, Deputy

Enclosure

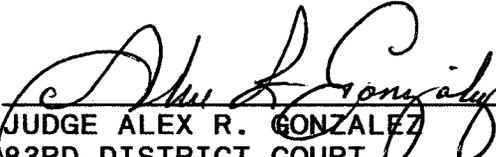
FROM: PEGGY YOUNG, DISTRICT CLERK, PECOS COUNTY

TO: THE HONORABLE JUDGES OF THE DISTRICT COURTS

PURSUANT TO THE RULES GOVERNING THE PROCEDURE FOR THE DISTRICT CLERK OF PECOS COUNTY TO RECEIVE AND FILE ELECTRONICALLY TRANSMITTED COURT DOCUMENTS, EXCEPT FOR THE NORMAL COSTS OF COURT FEES, THERE WILL BE NO PER PAGE CHARGE FOR RECEIVING DOCUMENTS. THE CHARGE FOR SENDING REQUESTED DOCUMENTS WILL BE \$1.00 PER PAGE.

RESPECTFULLY SUBMITTED FOR YOUR APPROVAL, THIS THE 10 DAY OF June, 1992.

APPROVED:



JUDGE ALEX R. GONZALEZ
83RD DISTRICT COURT



JUDGE BROCK JONES
112TH DISTRICT COURT