

**IN THE SUPREME COURT OF TEXAS**

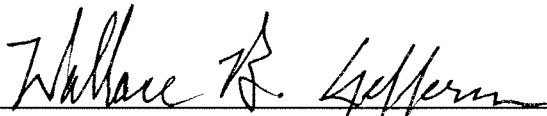
Misc. Docket No. 09- **9097**

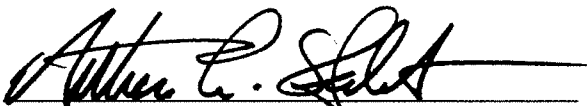
**APPROVAL OF LOCAL FACSIMILE-FILING RULES IN THE  
259TH DISTRICT COURT OF JONES AND SHACKELFORD COUNTIES**

**ORDERED** that:

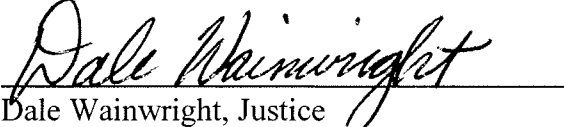
Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the following local rules governing facsimile filing in the 259th District Court of Jones and Shackelford Counties.

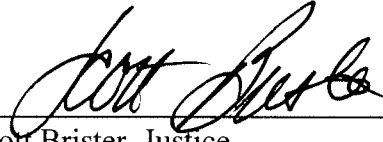
In Chambers, this 15<sup>th</sup> day of June, 2009.

  
Wallace B. Jefferson, Chief Justice

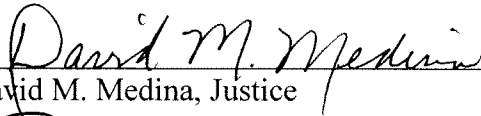
  
Nathan L. Hecht, Justice

\_\_\_\_\_  
Harriet O'Neill, Justice

  
Dale Wainwright, Justice



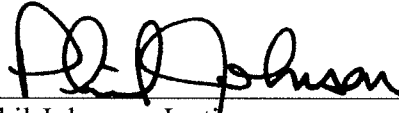
Scott Brister, Justice



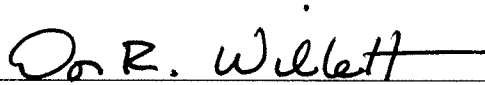
David M. Medina, Justice



Paul W. Green, Justice



Phil Johnson, Justice



Don R. Willett, Justice

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

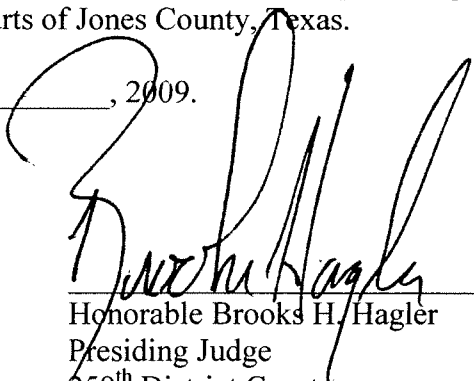
The following rules govern the procedure for the District Clerk of Jones County, Texas ("the clerk") to receive and file electronically transmitted court documents.

1. The clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) pleadings which require a filing fee; (b) returns of service on issuance s; (c) bonds; and (d) final orders which require a judge's signature unless approved by the judge prior to transmission.
2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed on a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper will be filed.
3. No document electronically transmitted shall be accepted by the clerk for filing that requires court cost or a fee. Documents tendered to the clerk electronically, which require a filing fee, or received incomplete, 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 and electronically received 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 special instruction or 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 the receipt of the document by affixing the clerk's official date and time file stamp to the document, and the electronically received stamp.
11. If the transmission is found to be incomplete the clerk will notify the sender as soon as practical 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 acknowledgement of the filing affixed to the front page of the document verifying the number of pages received and filed.
13. 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 and electronically received stamp and confirmation is sent to the sender.
14. 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 receipt but not filing time. 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 and 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.
15. The sender is responsible for maintaining the verification notice from the clerk for proof of transmittal.

It is therefore ordered that this system for electronic filing of documents in the 259<sup>th</sup> District Court of Jones 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 and District Courts of Jones County, Texas.

Signed this the 6 day of May, 2009.

  
\_\_\_\_\_  
Honorable Brooks H. Hagler  
Presiding Judge  
259<sup>th</sup> District Court

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

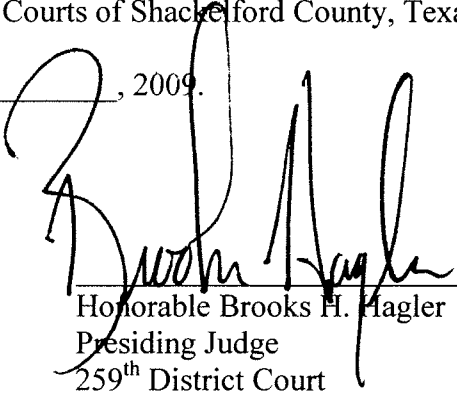
The following rules govern the procedure for the District Clerk of Shackelford County, Texas ("the clerk") to receive and file electronically transmitted court documents.

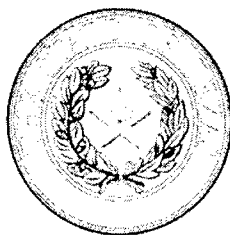
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It is therefore ordered that this system for electronic filing of documents in the 259<sup>th</sup> District Court of Shackelford County, Texas, be and the same adopted, effective upon approval by the Supreme Court of Texas; that a copy hereof shall 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 and District Courts of Shackelford County, Texas.

Signed this the 6 day of May, 2009.

  
\_\_\_\_\_  
Honorable Brooks H. Hagler  
Presiding Judge  
259<sup>th</sup> District Court



**BROOKS H. HAGLER**  
DISTRICT JUDGE

PHONE: 325/823-2721  
FAX: 325/823-4200

**SANTA FRANCO**  
COURT ADMINISTRATOR  
email: [santa.franco@co.jones.tx.us](mailto:santa.franco@co.jones.tx.us)

*Physical Address:*  
12<sup>TH</sup> & COMMERCIAL, 2<sup>ND</sup> FLOOR

## 259<sup>th</sup> Judicial District

**MICHELLE LOPEZ**  
COURT REPORTER

*Mailing Address:*  
P.O. BOX 429  
ANSON, TEXAS 79501

May 21, 2009

Kennon L. Peterson  
Rules Attorney, Supreme Court of Texas  
P.O. Box 12248  
Austin, Texas 78711

**RE: Rules governing the procedure for the clerk to receive and file electronically transmitted court documents.**

Dear Ms. Peterson:

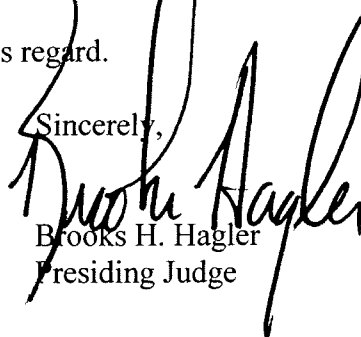
Thank you for your prompt response and assistance in regards to the above-referenced matter. Enclosed are my proposed rules for electronically transmitted documents in the 259<sup>th</sup> District Court of Texas (Jones and Shackelford Counties).

If my proposed orders meet with your approval, please forward same to the justices for their consideration.

Please contact me should you have questions or discover errors in my proposed orders.

Thank you for your attention in this regard.

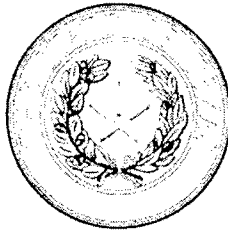
Sincerely,



Brooks H. Hagler  
Presiding Judge

BHH/sf

cc: Honorable Dean Rucker



**BROOKS H. HAGLER**  
DISTRICT JUDGE

PHONE: 325/823-2721  
FAX: 325/823-4200

**SANTA FRANCO**  
COURT ADMINISTRATOR  
email: [santa.franco@co.jones.tx.us](mailto:santa.franco@co.jones.tx.us)

*Physical Address:*  
12<sup>TH</sup> & COMMERCIAL, 2<sup>ND</sup> FLOOR

**259<sup>th</sup> Judicial District**

**MICHELLE LOPEZ**  
COURT REPORTER

*Mailing Address:*  
P.O. BOX 429  
ANSON, TEXAS 79501

May 21, 2009

Seventh Adm. Jud. Region of Texas  
Dean Rucker, Presiding Judge  
200 West Wall, Suite 200  
Midland, Texas 79701

**RE: Rules governing the procedure for the clerk to receive and file electronically transmitted court documents.**

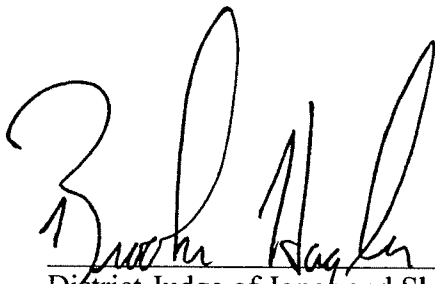
Dear Judge Rucker:

The attached procedure for electronically transmitted documents has been prepared and approved by the District Court of Jones and Shackelford County as so indicated by signature of Honorable Brooks H. Hagler, 259<sup>th</sup> District Judge for Jones and Shackelford District Courts.

Thank you for your attention in this regard.


Sincerely,

Santa Franco  
Court Administrator



\_\_\_\_\_  
District Judge of Jones and Shackelford District Courts  
Honorable Brooks H. Hagler

APPROVED: MAY 28, 2009 :



\_\_\_\_\_  
Dean Rucker, Presiding Judge  
Seventh Administrative Judicial Region