

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 10-9189

AMENDED 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; and (7) all motions, responses to motions, and replies in support of motions, except for motions for extension of time. 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. A party must still file an original and 11 copies of any document addressed to the Court, except that only an original and one copy must be filed of any motion, response to the motion, and reply in support of the motion.
3. Electronic copies must be in text-searchable portable document format (PDF) compatible with the latest version of Adobe Reader. Petitions, responses, briefs, and other 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 creates larger file sizes with images of lesser quality 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, except to the extent they are redacted as described in paragraph 7. 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 7, 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. In addition to the other information required by Rule of Appellate Procedure 9.1(a), each attorney must provide that attorney's e-mail address. The Court may send notices or other communications about a case to this e-mail address in lieu of mailing paper copies. Lead counsel must register for Casemail at <https://www.supreme.courts.state.tx.us/members/createmember.aspx> and follow the instructions for receiving notices for cases in which they represent a party.
7. 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.
8. 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.
9. Electronic copies must be e-mailed to the Clerk of the Court at scebriefs@txcourts.gov and, simultaneously, to lead counsel at the e-mail address provided pursuant to paragraph 6. Computer files e-mailed to the Clerk of the Court may not exceed 10 megabytes. Electronic copies larger than 10 megabytes must be divided into smaller files.
10. The name of the document being transmitted must appear in the subject line of the e-mail. Electronic copies must be named as follows when transmitted to the Clerk of the Court:

Case No. 10-0182 (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.

For example, assuming case No. 10-0182 involves one petitioner, an amicus, and two respondents filing separate briefs, the documents would be named as follows:

10-0182.pfr.pdf

10-0182.response.nameofrespondent1.pdf

10-0182.response.nameofrespondent2.pdf

10-0182.reply.pdf

10-0182.petbom.pdf

10-0182.resbom.nameofrespondent1.pdf

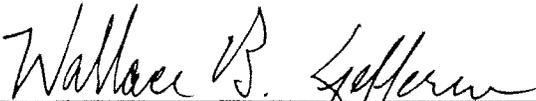
10-0182.resbom.nameofrespondent2.pdf

10-0182.replybom.pdf

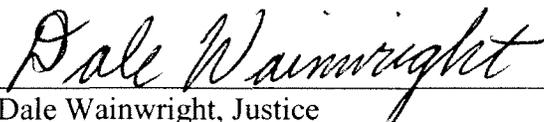
10-0182.amicus.pdf

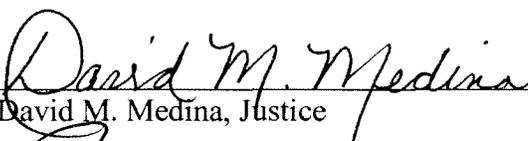
This Order takes effect November 15, 2010 and supersedes and vacates the Order dated May 4, 2010, in Misc. Docket No. 10-9065.

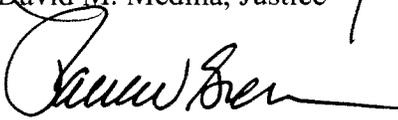
SIGNED this 9th day of November, 2010.

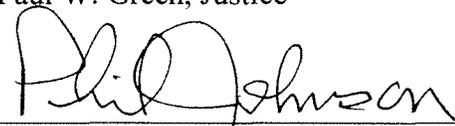

Wallace B. Jefferson, Chief Justice

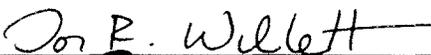

Nathan L. Hecht, Justice

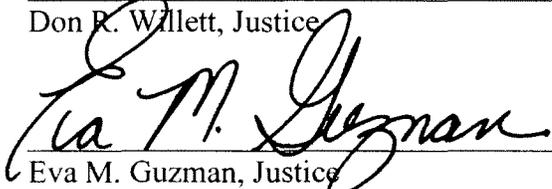

Dale Wainwright, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice


Eva M. Guzman, Justice


Debra H. Lehrmann, Justice