

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 96- 9254

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


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**ORDERED:**

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

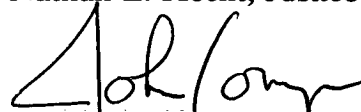
This Order shall be effective when recorded in the Minutes of the District Court and the County Court of Crosby County, and upon compliance with Texas Rule of Civil Procedure 3a.

SIGNED AND ENTERED this 6<sup>th</sup> day of December, 1996

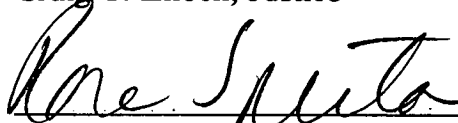
  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice


  
Nathan L. Hecht, Justice

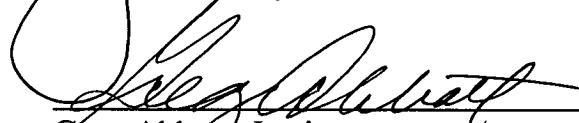
  
John Cornyn, Justice

  
Craig T. Enoch, Justice

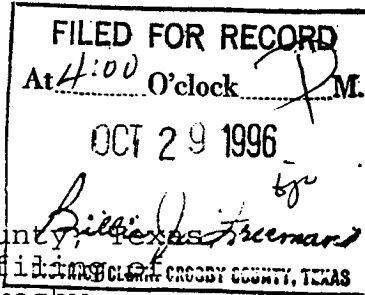
  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice

ORDER ESTABLISHING A SYSTEM FOR  
ELECTRONIC FILING OF DOCUMENTS IN  
CROSBY COUNTY, TEXAS



The District Court and County Court of Crosby County, Texas hereby adopt the following system for the electronic filing of documents by the District Clerk and County Clerk of Crosby County.

1. The District Clerk and County Clerk are 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; or (c) signed orders of 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 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 clerks and approved by the 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. Local rules governing implementation of this electronic filing system are hereby adopted as follows:

A. Every document electronically transmitted for filing shall conform to the requirement for filing established by the Texas Rules of Court, ie. shall be in writing, on paper measuring approximately 8 1/2 X 11 inches, signed by an attorney of record in his individual name, with his State Bar of Texas identification number, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to legible transmit.

B. The sender shall maintain the original hard copy with original signature affixed as required by Section 51.806, Texas Government Code.

C. A cover sheet must accompany every transmission and shall:

(1) clearly identify the sender, the documents being transmitted, and the number of pages;

(2) have clear and concise instructions concerning issuance of other request.

D. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

E. The clerk when satisfied that the transmission is complete shall accept for filing and affix the clerk's official date and time filed.

F. If the transmission is found to be incomplete of 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.

G. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgement of the filing, together with cost receipt, if any.

H. No citation or writ bearing the official seal of the court may be transmitted electronically.

I. 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.

J. 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 the time of filing. Transmissions completed during a normal business day before 5:00 p.m. and accepted for filing will be filed on the date 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.

It is therefore ORDERED that this system for electronic filing of documents in the District Court and County Court of Crosby County, Texas, be and the same is 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 District Court of Crosby County, Texas.

Signed this 28 day of October, 1996.

J. Blair Cherry, Jr.

J. Blair Cherry, Jr.  
72nd District Court  
Crosby County, Texas

Jerry Robertson

Jerry Robertson  
County Court  
Crosby County, Texas

A CERTIFIED COPY



Attest: 10-30 1996

BILLIE JO FREEMAN  
District Clerk  
Crosby County, Texas

By Billie Jo Freeman Deputy



Office of District Clerk

BILLIE JO FREEMAN  
DISTRICT CLERK

CROSBY COUNTY

(806) 675-2071

P. O. BOX 495

Crosbyton, Texas 79322

October 30, 1996

Justice Nathan L. Hecht  
SUPREME COURT OF TEXAS  
P. O. Box 12248  
Austin, Texas 78711

Re: Application of Order for Electronic Filing

Dear Justice Hecht:

Enclosed is our Order Establishing A System for Electronic Filing that we are submitting to the Supreme Court for approval.

We are anxious that we have this approved.  
Thank you for your consideration for same.

Sincerely,

  
Billie Jo Freeman



# THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST  
NADINE SCHNEIDER

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

December 11, 1996

Ms. Billie Jo Freeman  
District Clerk  
Post Office Box 495  
Crosbyton, Texas 79322

Dear Ms. Freeman,

Please find enclosed, a copy of the order of the Supreme Court that approved local rules for District and County Clerks of Crosby County.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

Encl.

cc: Hon. Ray D. Anderson  
9th Admin Judicial Rgn

Hon. J. Blair Cherry, Jr.  
Lcl Admin Judge

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict  
Office of Court Admin

State Law Library