

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 96- 9258

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

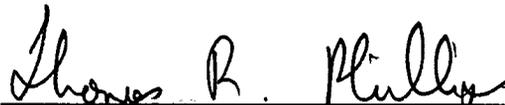
ORDERED:

Pursuant to Rule 3a of the Texas Rules of Civil Procedure and TEX. GOV'T CODE §§ 51.803, 51.807, the Supreme Court of Texas approves the following:

Addendum to Rules Governing the Procedure for the District
Clerk of Pecos County to Receive and File Electronically
Transmitted Court Documents

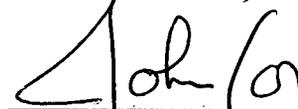
This Order is effective when recorded in the Minutes of the District Courts of Pecos County, and upon compliance with Texas Rule of Civil Procedure 3a.

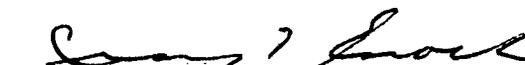
SIGNED AND ENTERED this 6th day of December, 1996


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

AMENDMENT

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

**Addendum to Rule Number One of the Miscellaneous Docket No. 92-0097,
ADOPTION OF RULES FOR PECOS COUNTY FOR RECEIVING AND FILING
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS.**

1. The Clerk is authorized to accept for filing Temporary Orders, Temporary Restraining Orders and Protective Orders, provided that the judge signing the Temporary Order, Temporary Restraining Order or Protective Order forwards the original to the court clerk.

APPROVED AND SIGNED this 6th day of September, 1996.



ALEX R. GONZALEZ, 3RD JUDICIAL DISTRICT JUDGE

APPROVED AND SIGNED this 6 day of September, 1996.



BROCK JONES, 112TH JUDICIAL DISTRICT JUDGE

COPY

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 92-_____

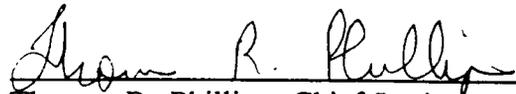
**ADOPTION OF RULES FOR PECOS COUNTY
FOR RECEIVING AND FILING
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

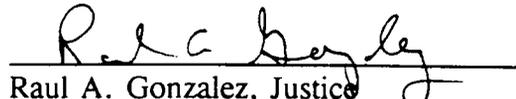
ORDERED:

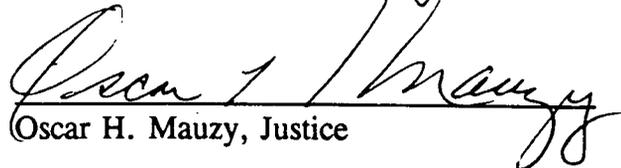
At the request of the District Courts of Pecos County, the attached rules are adopted governing the procedure for the District Clerk of Pecos County to receive and file electronically transmitted court documents. TEX. GOV'T CODE §§ 51.803, 51.807.

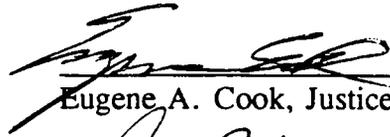
This Order shall be effective when recorded in the Minutes of the District Courts of Pecos County, and upon compliance with Texas Rule of Civil Procedure 3a.

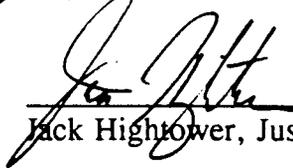
SIGNED AND ENTERED this 14th day of September, 1992.


Thomas R. Phillips, Chief Justice

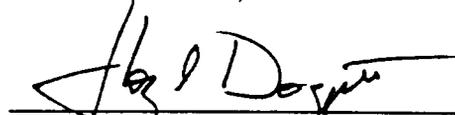

Raul A. Gonzalez, Justice

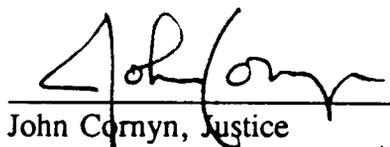

Oscar H. Mauzy, Justice

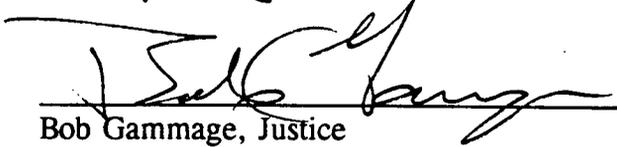

Eugene A. Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Comyn, 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.

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

The District Courts of Jefferson County, Texas, hereby adopt the following system for the electronic filing of documents by the District Clerk of Jefferson County.

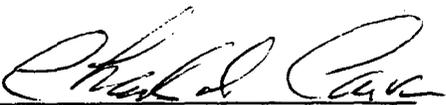
1. The District Clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) returns of service on issuances; (b) bonds; or (c) signed orders or judgments.
2. Documents electronically transmitted for filing will be received by the 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 unless court costs and fees are paid within 5 workdays or less of the receipt of the document by the clerk. Court costs and fees may be paid by cash, money order, or firm or personal check. Documents tendered to the clerk electronically without payment of court costs and fees, or which do not conform to applicable rules will not be filed.
4. A fee schedule for electronic filing shall be adopted by the clerk but shall be subject to change as circumstances warrant.
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 (rules of procedure) 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, i.e. shall be in writing, on paper measuring approximately 8½ 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 legibly transmit.
 - B. The sender shall maintain the original hard copy with original signature affixed as required by Section 51.806, Texas Government Code and Rule 45, Texas Rules of Court.
 - C. A cover sheet must accompany every transmission and shall:
 - (1) clearly identify the sender, the documents being transmitted, and the number of pages; and
 - (2) have clear and concise instructions concerning issuance or other requests.

- D. The Clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
- E. 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 therefor.
- F. After receiving an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgement of the receipt thereof.
- G. No citation or writ bearing the official seal of the court may be transmitted electronically.
- H. Electronic transmission of a document does not constitute filing. Filing is complete only after receipt of the required court cost and fees and when the Clerk's official date and time file stamp is affixed to the document.
- I. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time stamp imprinted on the last page of a document will determine the time of receipt but not time of filing.

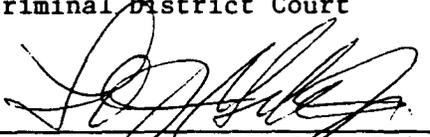
It is therefore ORDERED that this system for electronic filing of documents in the District Courts of Jefferson County, Texas, be, and the same is adopted, effective upon approval by the Supreme Court of Texas retroactive to January 1, 1991; that a copy hereof shall be furnished to the Supreme Court 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 Courts of Jefferson County, Texas.

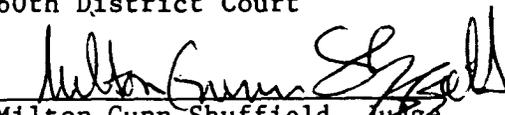
SIGNED this the 13th day of September 1996.


 James V. McAffy, Jr., Judge
 58th District Court

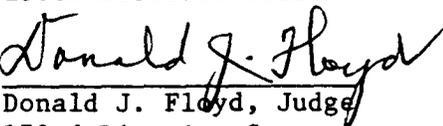

 Charles D. Carver, Judge
 Criminal District Court

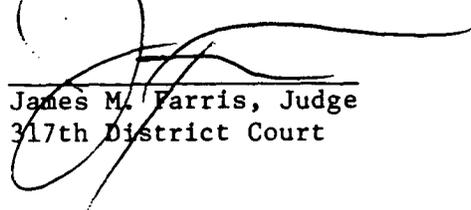

 James G. Sanderson, Judge
 60th District Court


 Leonard J. Giblin, Jr., Judge
 252nd District Court


 Milton Gunn Shuffield, Judge
 136th District Court


 Robert P. Walker, Judge
 279th District Court


 Donald J. Floyd, Judge
 172nd District Court


 James M. Farris, Judge
 317th District Court

USER RATES FOR FAX MACHINE

Sending, locally for the first page.....	\$3.00
Each additional page.....	1.00
Sending, long distance for the first page.....	5.00
Each additional page.....	1.00
Receiving, for the first page.....	3.00
Each additional page.....	1.00

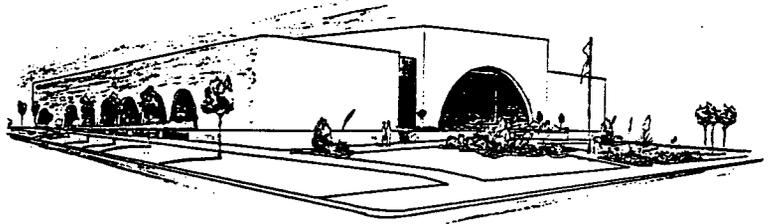
THE FAX NUMBER FOR THE DISTRICT CLERK'S OFFICE IS 409-835-8527

DOCUMENTS RECEIVED BY FAX WILL BE CONSIDERED FILED WHEN THEY ARE ACTUALLY FILE MARKED BY THE DISTRICT CLERK'S OFFICE.

**JOHN S. APPLEMAN
DISTRICT CLERK**

County of Pecos

OFFICE OF THE DISTRICT CLERK



Janice Stockburger
District Clerk

PECOS COUNTY JUDICIAL BUILDING
400 S. NELSON
FORT STOCKTON, TEXAS 79735

PHONE 915/336-3503
FAX 915/336-6437

September 9, 1996

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

Dear Justice Hecht:

Enclosed is our submission for an Amendment to the Adoption of Rules for Pecos County for Receiving and Filing Electronically Transmitted Court Documents. Approval for the original Rules was granted on September 14, 1992, and is numbered 92-0097 on the Miscellaneous Docket of your Court.

This amendment was submitted to the Honorable Brock Jones, District Judge for the 112th District Court, and the Honorable Alex R. Gonzalez, District Judge for the 83rd District Court, and met with their approval as witnessed by their signatures on the attached Amendment.

For your convenience, I am enclosing a copy of the original Rules as they were approved by the Court.

I ask that the Court review and consider the enclosed Amendment. If approved, I respectfully ask that you return the document to me as soon as possible so that I may record it in the minutes of our Courts.

Sincerely,

A handwritten signature in cursive script that reads "Janice Stockburger".

Janice Stockburger,
District Clerk

Enclosures



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

Hon. Alex R. Gonzalez
83rd District Court
Post Office Box 1777
Fort Stockton, Texas 79735-1777

Dear Judge Gonzalez,

Please find enclosed, a copy of the order of the Supreme Court that approved an addendum local rules for the District Clerk of Pecos County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Stephen B. Ables
6th Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library