

ORDER OF THE SUPREME COURT OF TEXAS

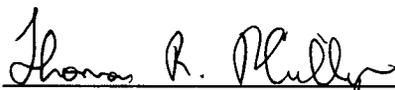
Misc. Docket No. 99- 9187

**Approval of Amendments
to Rule Governing the Procedure for the District Clerk of Bexar County
to Receive and File Electronically Transmitted Court Documents**

IT IS ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the attached amendments to the Rule Governing the Procedure for the District Clerk of Bexar County to Receive and File Electronically Transmitted Court Documents. This order is temporary pending further orders of this Court.

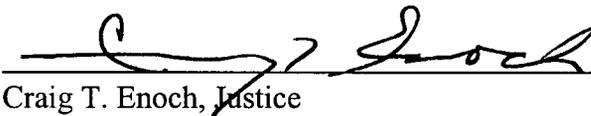
By the Court, en banc, in chambers, this 5th day of October, 1999.



Thomas R. Phillips, Chief Justice



Nathan L. Hecht, Justice



Craig T. Enoch, Justice



Priscilla R. Owen, Justice



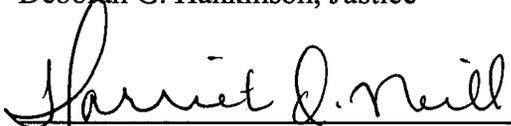
James A. Baker, Justice



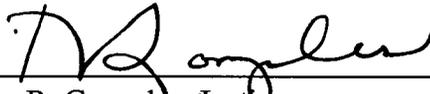
Greg Abbott, Justice



Deborah G. Hankinson, Justice



Harriet O'Neill, Justice



Alberto R. Gonzales, Justice

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

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

- 4.1 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 judgements.
- 4.2 Documents electronically transmitted for filing will be received by the clerk at the following number, (210) 335-2553 on a plain paper facsimile and printed by a printer rendering the copy of an archival quality or may be stored electronically if designated as an e-case by the District Court. No filing shall be accepted by the individual deputy clerks located in each of the District Courts. No document printed on thermal paper shall be filed.
- 4.3 No document electronically transmitted shall be considered completely filed until court costs and fees have been paid. Court costs and fees may be paid by such method of payment established by the clerk in compliance with the guidelines and procedures set forth by the County Auditor; including, but not limited to designated credit cards and electronic funds transfer. 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 may be stricken by the court if such defects are not promptly cured.
- 4.4 A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the Civil District courts.
- 4.5 An electronically transmitted document accepted for filing will be recognized as the original record for the file or for evidentiary purposes when it bears the clerk's official date and time file stamp.

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- 4.6 Every document electronically transmitted for filing shall conform to 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.
- 4.7 The sender shall maintain the original of the document with original signature affixed as required by section 51.806, Texas Government Code.
- 4.8 A cover sheet must accompany every transmission which shall:
- (a) clearly identify the sender, the documents being transmitted, and number of pages;
 - (b) have clear and concise instructions concerning issuance or other request; and
 - (c) have complete information on the authorization of the credit card or bank account debit, or other form of payment established by the clerk for court costs and fees.
- 4.9 The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
- 4.10 The clerk, when satisfied that the transmission is complete, shall confirm the charge or payment authorization and note the authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed completely filed and the clerk shall affix the clerk's official date and time file stamp to the document.
- 4.11 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.
- 4.12 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.
- 4.13 No citations or writs bearing the official seal of the court may be transmitted

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electronically.

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- 4.14 Electronic transmission of a document does not complete filing. Filing is complete when the clerk's official date and time file stamp is affixed to the document.
- 4.15 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 filing, upon completion of filing. Transmissions completed during a normal business day before 12:00 midnight shall be filed as of the day they are received. If a transmission is received after 4:00 PM, the clerk shall verify receipt and filing before 10:00 AM on the next business day. Transmissions completed on weekends or holidays will be verified and filed before 10:00 AM on the first business day following receipt of transmission.

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IN THE DISTRICT COURTS

ORDER ON LOCAL RULE

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BEXAR COUNTY, TEXAS

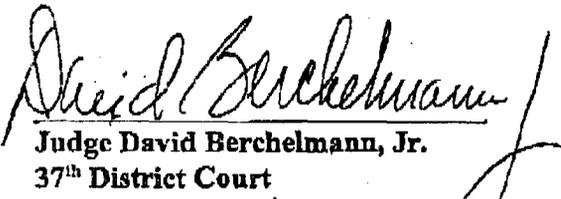
ORDER AMENDING LOCAL RULES
GOVERNING PROCEDURE
FOR THE DISTRICT CLERK TO RECEIVE AND FILE
ELECTRONICALLY TRANSMITTED
COURT DOCUMENTS

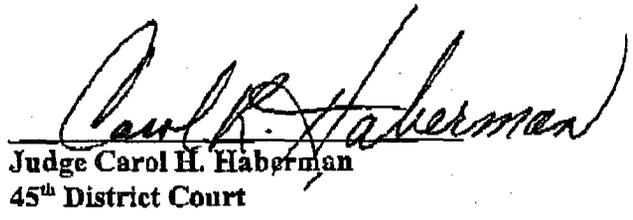
On this the 24th day of September, 1999 it is ORDERED that the local rules governing procedure for the District Clerk to receive and file electronically transmitted court documents shall be amended.

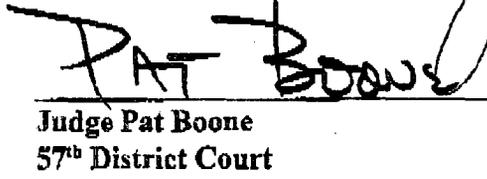
Pursuant to Section 3a. Rules of Civil Procedure, of the Texas Rules of Court, it is hereby ordered that the attached Rules shall be the amended and restated rules Governing the Procedure for the District Clerk to Receive and File the Electronically Transmitted Court Documents.

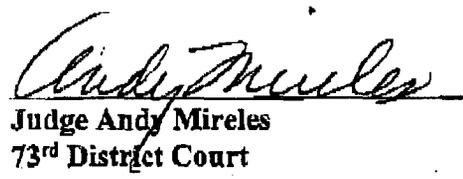
SIGNED and ENTERED this 24th day of September, 1999.

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Judge David Berchermann, Jr.
37th District Court


Judge Carol H. Haberman
45th District Court

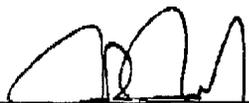

Judge Pat Boone
57th District Court


Judge Andy Mireles
73rd District Court

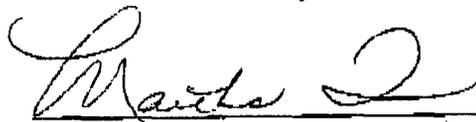
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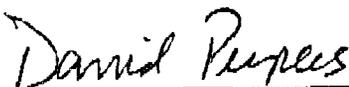
ORDER ON LOCAL RULES, page 2.



Judge John Gabriel, Jr.
131st District Court



Judge Martha Tanner
166th District Court



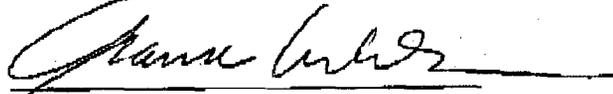
Judge David Peoples
224th District Court



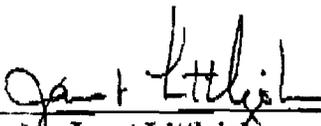
Judge John J. Specia, Jr.
225th District Court



Judge Michael Peden
285th District Court



Judge Frank Montalvo
288th District Court



Judge Janet Littlejohn
150th District Court

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THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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CLERK
JOHN T. ADAMS

EXECUTIVE ASST
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASST
NADINE SCHNEIDER

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

October 5, 1999

Hon. John J. Specia, Jr.
Admin. Judge and Judge
225th District Court
100 Dolorosa, #200
San Antonio, Texas 78205-3028

Dear Judge Specia,

Please find enclosed, a copy of the order of the Supreme Court that temporarily approved amendments to the local rules for the district courts of Bexar County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. David Peeples
4th Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library