

Actions Associated with Criminal Cases -Explanatory Chart

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	Civil or Criminal	Court of Last Resort	Where Codified	Other Applicable Rules	Where Filed	Style of Case	Filing Fee	E-Filing Required	Judicial Council Statistical Reporting
Bond Forfeitures	Criminal ¹	Court of Criminal Appeals ²	Code of Criminal Procedure, Chapter 22	Rules of Civil Procedure ³	Trial court in the underlying criminal case ⁴	State of Texas v. Principal & Sureties ⁵	Yes – trial court; ⁶ No - app. court ⁷	No ⁸	Civil Cases Relating to Criminal Matters ⁹
Expunctions	Civil ¹⁰	Texas Supreme Court ¹¹	Code of Criminal Procedure, Chapter 55	None specified	District Court ¹²	In the Matter of Petitioner	Yes ¹³	Yes ¹⁴	Civil Cases Relating to Criminal Matters ¹⁵
Forfeiture (seizure) of contraband	Civil ¹⁶	Texas Supreme Court ¹⁷	Code of Criminal Procedure, Chapter 59	Rules of Civil Procedure ¹⁸	District Court in county in which seizure is made ¹⁹	In the Matter of The Seized Property ²⁰	No ²¹	Yes ²²	Civil Cases relating to Criminal Matters ²³
Habeas Corpus - Civil²⁴	Criminal ²⁵	Texas Supreme Court ²⁶	Code of Criminal Procedure, Chapter 11 ²⁷	Rule of Appellate Procedure 52	Petitioner has options ²⁸	Ex parte Petitioner ²⁹	No ³⁰	No ³¹	Depends ³²
Habeas Corpus - Criminal³³	Criminal ³⁴	Court of Criminal Appeals ³⁵	Code of Criminal Procedure, Chapter 11	Rules of Appellate Procedure 31 and 73	Depends on type of action ³⁶	Ex parte Petitioner ³⁷	No ³⁸	No ³⁹	Civil Cases relating to Criminal Matters ⁴⁰
Occupational Driver's Licenses	Civil ⁴¹	Texas Supreme Court	Transportation Code, § 521.242 ⁴²	None specified	Depends ⁴³	In the Matter of Petitioner	Yes ⁴⁴	Yes ⁴⁵	Civil Cases Relating to Criminal Matters ⁴⁶
Order of Nondisclosure	Civil ⁴⁷	Texas Supreme Court ⁴⁸	Government Code, § 411.081	None specified	Court that placed the defendant on deferred adj. ⁴⁹	In the Matter of Petitioner	Yes ⁵⁰	Yes ⁵¹	Civil Cases Relating to Criminal Matters ⁵²

¹ *Safety Nat'l Cas. Corp. v. State*, 305 S.W.3d 586, 588 (Tex. Crim. App. 2010) (“It is well settled that an appeal from bond-forfeiture proceeding originating in a criminal case is a criminal matter, not a civil matter, with final state-court jurisdiction vested in this Court.”) (emphasis added); *Dees v. State*, 865 S.W.2d 461, 462 (Tex. Crim. App. 1993) (“A bail bond forfeiture proceeding is a criminal matter governed by the rules of civil procedure after entry of the judgment nisi.”) (emphasis added); *Sellers v State*, 790 S.W.2d 316, 321 (Tex. Crim. App. 1990) (“The Supreme Court, the Court of Appeals, and its successor, this Court, have all consistently held that bond forfeiture is a criminal matter.”); *see also Jeter v. State*, 86 Tex. 555, 558, 26 S.W.49, 49-50 (1894) (“A suit on a forfeited recognizance conditioned for a party’s appearance to answer an indictment . . . is not a civil action.”).

² *Safety Nat'l Cas. Corp. v. State*, 305 S.W.3d 586, 588 (Tex. Crim. App. 2010) (“It is well settled that an appeal from bond-forfeiture proceeding originating in a criminal case is a criminal matter, not a civil matter, with final state-court jurisdiction vested in this Court.”) (emphasis added).

³ *Dees v. State*, 865 S.W.2d 461, 462 (Tex. Crim. App. 1993) (“A bail bond forfeiture proceeding is a criminal matter governed by the rules of civil procedure after entry of the judgment nisi.”) (emphasis added).

⁴ Tex. Crim. Proc. Code Ann. art. 22.10 (West 2009) (“When a forfeiture has been declared upon a bond, the court or clerk shall docket the case upon the scire facias or upon the civil docket, in the name of the State of Texas, as plaintiff, and the principal and sureties, if any, as defendants . . .”) (emphasis added). This language suggests that the court that declares the forfeiture puts the case on its own docket. *See also Kubosh v. Harris County*, No. 01-12-00214-CV, 2013 Tex. App. LEXIS 5396, at *2 (Tex. App.—Houston [1st Dist.] May 2, 2013, pet. denied) (“Bond forfeiture actions are brought in criminal court.”).

⁵ Tex. Crim. Proc. Code Ann. art. 22.10 (West 2009) (“When a forfeiture has been declared upon a bond, the court or clerk shall docket the case upon the scire facias or upon the civil docket, in the name of the State of Texas, as plaintiff, and the principal and sureties, if any, as defendants . . .”) (emphasis added); *see also Kubosh v. Harris County*, No. 01-12-00214-CV, 2013 Tex. App. LEXIS 5396, at *2 (Tex. App.—Houston [1st Dist.] May 2, 2013, pet. denied) (“When a criminal defendant fails to appear in court, the state institutes a bond-forfeiture proceeding . . .”) (emphasis added).

⁶ *Ranger Ins. Co. v. State*, 312 S.W.3d 266, 268 (Tex. App.—Dallas 2010, pet. dismissed) (“[A]t the trial court level, civil costs of court may be collected in bond forfeiture proceedings.”); *see also Dees v. State*, 865 S.W.2d 461, 462 (Tex. Crim. App. 1993) (“[W]e hold civil court costs may be assessed in a bail bond forfeiture proceeding after entry of a judgment nisi.”).

⁷ *Safety Nat'l Cas. Corp. v. State*, 305 S.W.3d 586, 588 (Tex. Crim. App. 2010) (“[W]e conclude that . . . Article 44.44, Texas Code of Criminal Procedure . . . excludes the application of civil-case fees by the court of appeals in appeals from criminal bond-forfeiture proceedings.”).

⁸ Because this is a criminal case, these cases do not fall under the e-filing mandate requiring that civil cases be e-filed.

⁹ Office of Court Administration (OCA) Memo to District and County Clerks, September 30, 2010 (“although bond forfeitures . . . are criminal matters, they are to be reported as ‘Civil Cases Relating to Criminal Matters’ in the new monthly reports.”).

¹⁰ *Tex. Dep’t of Pub. Safety v. Graham*, No. 14-12-00585-CV, 2013 Tex. App. LEXIS 13094 at *3 (Tex. App.—Houston 14th Dist.] Oct. 22, 2013, no pet.) (“Even though the expunction statute is situated in the Code of Criminal Procedure, an expunction proceeding is civil in nature.” *In re Expunction of Ramirez*, 143 S.W.3d 856, 858 (Tex. App.—El Paso 2004, no pet.) (“A statutory expunction proceeding is civil rather than criminal in nature.”).

¹¹ *State v. Beam*, 226 S.W.3d 392 (Tex. 2007) (appeal from court of appeals’ affirmance of trial court order granting expunction handled by the Supreme Court of Texas); *Ex parte Elliot*, 815 S.W.2d 251 (Tex. 1991) (appeal of expunction case handled by Supreme Court of Texas); *Harris*

County Dist. Attorney's Office v. J.T.S., 807 S.W.2d 572 (1991) (same); *State v. Henson*, 573 S.W.2d 548, 549 (Tex. Crim. App. 2004) (Court of Criminal Appeals dismissed appeal in expunction case for want of jurisdiction because Court had “no power to entertain such cases”).

¹² For expunctions based on acquittals, the petition should be filed in the district court that presided over the case. Tex. Crim. Proc. Code Ann. art. 55.02, Sec. 1 (West Supp. 2013). If the acquittal occurred in a court other than a district court, then the petition should be filed in a district court in the county in which the trial court is located. *Id.* If the expunction is based on reasons other than an acquittal, then the petition can be filed in a district court of the county in which the petitioner was arrested or the offense was alleged to have occurred. Tex. Crim. Proc. Code Ann. art. 55.02, Sec. 2(a) (West Supp. 2013).

¹³ Tex. Crim. Proc. Code Ann. art. 102.006 (West Supp. 2013) (petitioner must pay “the fee charged for filing an ex parte petition in a civil action in district court”).

¹⁴ Because expunction cases are civil, these cases come under the e-filing mandate requiring that civil cases be e-filed.

¹⁵ Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 14, Civil Case Type Category 11 (expunctions should be classified as “Civil Cases Relating to Criminal Matters”).

¹⁶ *One Ford Mustang, VIN 1FAFP40471F207859 v. State*, 231 S.W.3d 445, 449 (Tex. App.—Waco 2007, no pet.) (“A forfeiture proceeding under Chapter 59 is a civil *in rem* proceeding governed by the procedural rules applicable to civil trials and appeals generally.”).

¹⁷ *State v. Ninety Thousand Two Hundred Thirty-Five Dollars & No Cents in U.S. Currency*, 390 S.W.3d 289, 292 (Tex. 2013) (final appeal in seizure of contraband case handled by the Texas Supreme Court).

¹⁸ *Id.* (“Civil rules of pleading apply in forfeiture cases.”).

¹⁹ Tex. Crim. Proc. Code Ann. art. 59.04(b) (West Supp. 2013).

²⁰ *Hardy v. State*, 102 S.W.3d 123, 126 n.2 (Tex. 2003). “The Hardys and the court of appeals styled the case ‘Milton Wayne Hardy and Lovell Green Hardy, individually and doing business as Game Time Amusements v. State of Texas.’ We note, however, that the order of forfeiture signed by the trial court is correctly captioned ‘In the Matter of Twenty-Four Gambling Devices, Gambling Paraphernalia, \$2,340.25 in U.S. Currency, Seventy-Two Gift Certificates, and \$ 130 in Personal Checks.’” *Id.*

²¹ Tex. Att’y Gen. Op. No. DM-04591997). The State is in the position of the plaintiff in these cases. But the State is not required to pay filing fees up front. *Id.* However, at the end of the case, the losing party is responsible to pay the filing fees. *Id.*

²² Because seizure-of-contraband cases are civil cases, these cases come under the e-filing mandate requiring that civil cases be e-filed.

²³ Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 14, Civil Case Type Category 11 (seizure and forfeiture cases should be classified as “Civil Cases Relating to Criminal Matters”).

²⁴ These actions are responses to restraints of liberty occurring for reasons unrelated to criminal convictions or criminal charges. For example, a person can be confined for contempt of court (either civil contempt or criminal contempt) in a civil case. Another example of restraint unrelated to a criminal conviction or charge is restraint through “outpatient civil commitment” under the sexually violent predator statute. See Tex. Health & Safety Code Ann. Chapter 841 (West 2010 and West Supp. 2013). These actions do not include writs of habeas corpus to enforce a superior right to possession of a child. Such writs are controlled by Subchapter H of Chapter 157 of the Family Code. They have nothing to do with the writ of habeas corpus as described in Chapter 11 of the Code of Criminal Procedure. Accordingly, such writs are not actions associated with criminal cases and are not included on this chart.

²⁵ See *Gibson v. State*, 921 S.W.2d 747, 753 (Tex. App.—El Paso 1996, writ denied):

“A writ of habeas corpus pursuant to Article 11 of the Code of Criminal Procedure is a criminal proceeding despite its availability to persons not accused of crimes. Article 11.01 describes the writ as the remedy to be used when ‘any person,’ not just a person accused or convicted of a crime, is restrained in his liberty. ‘Restraint’ is further defined as

‘the kind of control which one person exercises over another, not to confine him within certain limits, but to subject him to the general authority and power of the person claiming such right.’ The definition encompasses all official restraint and does not limit habeas corpus relief to official restraint exercised pursuant to criminal charges. Thus, the remedy afforded pursuant to Article 11 is not limited to those accused or convicted of a crime. Any person seeking relief from unlawful restraint may proceed under Article 11 of the Code of Criminal Procedure, making the action a criminal proceeding, regardless of whether the applicant is accused or convicted of a crime.” *Gibson* at 753 (citations omitted).

²⁶ See Tex. Const. art. V, §3 (Supreme Court’s appellate jurisdiction shall be final and shall extend to all cases except in criminal law matters and as otherwise provided in this Constitution or by law”).

²⁷ Although these statutes are located in the Code of Criminal Procedure, they apply to “all cases of habeas corpus for the enlargement of persons illegally held in custody or in any manner restrained in their personal liberty.” Tex. Crim. Proc. Code Ann. art. 11.64 (West 2005).

²⁸ The petitioner has the option of filing an original petition with the Court of Criminal Appeals, a district court, or a county-level court. Tex. Crim. Proc. Code Ann. art. 11.05 (West 2005) (“The Court of Criminal Appeals, the District Courts, the County Courts, or any judge of said Courts, have power to issue the writ of habeas corpus; and it is their duty, upon proper motion, to grant the writ under the rules prescribed by law.”). Additionally, a petitioner may file an original petition with the Texas Supreme Court or an intermediate court of appeals. Tex. Gov’t Code Ann. §22.221(d) (West 2004) (“Concurrently with the supreme court, the court of appeals of a court of appeals district in which a person is restrained in his liberty, or a justice of the court of appeals, may issue a writ of habeas corpus when it appears that the restraint of liberty is by virtue of an order, process, or commitment issued by a court or judge because of violation of an order, judgment, or decree previously made, rendered, or entered by the court or judge in a civil case.”).

²⁹ This is the general rule. See *Ex parte Rieck*, 144 S.W.3d 510, 513 (Tex. Crim. App. 2004) (“habeas proceedings in Texas are styled ‘*ex parte*’”). The exception would be for original petitions in the Texas Supreme Court which should be styled “*In re* Petitioner.” See Tex. R. App. P. 52.1. Also, please note that all habeas corpus actions should be docketed separately and should be given a different cause number from the underlying case. *Broussard v. State*, No. 01-10-00458-CR, 2010 Tex. App. LEXIS 8360, at *1 n. 1 (Tex. App.—Houston [1st Dist.] Oct. 14, 2010, no pet.) (per curiam) (not designated for publication) (“habeas corpus actions should be docketed separately and given a different cause number”).

³⁰ Tex. Crim. Proc. Code Ann. art. 11.051 (West 2005) (“Notwithstanding any other law, a clerk of a court may not require a filing fee from an individual who files an application or a petition for a writ of habeas corpus.”). See also *Ex parte Rieck*, 144 S.W.3d 510, 520 (Tex. Crim. App. 2004) (Code of Criminal Procedure prohibits clerks from requiring filing fees for habeas corpus applications); *Ex parte Mead*, No. 08-12-00023-CR, 2012 Tex. App. LEXIS 1369, at *3 (Tex. App.—El Paso, February 22, 2012, pet. denied) (not designated for publication) (court of appeals returned petitioner’s \$175 filing fee after determining the action was a criminal case). Please note that Article 11.051 applies to all habeas corpus cases controlled by Chapter 11 of the Code of Criminal Procedure. Article 11.051 does not apply to writs of habeas corpus to enforce a superior right of possession to a child. Such writs are controlled by Chapter 157, Subchapter H of the Family Code.

³¹ Because this is a criminal case, these cases do not fall under the e-filing mandate requiring that civil cases be e-filed.

³² If the action arises out of non-family-law civil case, then the action should be reported in the “Other Civil Cases” category in the “Civil Section” of OCA’s Official Monthly Report. See Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 13, Civil Case Type Category 12 (all non-tax civil cases not clearly identifiable as belonging in one of the preceding categories). However, if the action arises out of a family-law case, then the action should be reported in the “Enforcement” column of the “Post-Judgment Actions” category in the “Family Law ” section of OCA’s Official Monthly Report.

³³ These actions arise when a person is confined in connection with a criminal prosecution or a criminal conviction. The actions include: (1) post-conviction writ applications in non-death-penalty cases (Code of Criminal Procedure [CCP] article 11.07); (2) post-conviction writ applications in death-penalty cases (CCP article 11.071); (3) post-conviction writ applications seeking relief from community supervision orders (CCP, article 11.072); (4) pre-trial writ applications (often seeking bail reductions or challenging a statute’s constitutionality) filed by confined persons charged with crimes (CCP, articles 11.08, 11.09); and (5) applications seeking relief from confinement pursuant to a contempt order issued during criminal proceedings.

³⁴ *Aranda v. District Clerk, Gaines County*, 207 S.W.3d 785, 786 (Tex. Crim. App. 2006) (“when a person is confined for violating a criminal statute and files an application for a writ of habeas corpus challenging his confinement, the proceeding is criminal, not civil, in nature”); *See also Ex parte Rieck*, 144 S.W.3d 510, 516 (Tex. Crim. App. 2004) (“And while a habeas proceeding is considered in Texas to be separate from the criminal prosecution – being a collateral, rather than direct, attack on the judgment of conviction – Texas has gone further in eschewing the civil label for habeas proceedings arising from criminal prosecutions or convictions. Such proceedings are categorized as ‘criminal’ for jurisdictional purposes, and the Texas Rules of Civil Procedure do not ordinarily apply. Article 11.07 habeas proceedings are categorized as criminal proceedings by statute.”). *Accord Greenwell v. Court of Appeals for the Thirteenth Judicial District*, 159 S.W.3d 645, 650 (Tex. Crim. App. 2005) (“the habeas proceeding is in fact considered a separate ‘criminal action’”).

³⁵ *See* Tex. Const. art. V, §5 (“The Court of Criminal Appeals shall have final appellate jurisdiction coextensive with the limits of the state, and its determinations shall be final, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be provided in this Constitution or as prescribed by law.”).

³⁶ *See* Code of Criminal Procedure, Chapter 11 for different procedures to be followed in certain situations.

³⁷ *Ex parte Rieck*, 144 S.W.3d 510, 513 (Tex. Crim. App. 2004) (“habeas proceedings in Texas are styled ‘*ex parte*’”); *see also Broussard v. State*, No. 01-10-00458-CR, 2010 Tex. App. LEXIS 8360, at *1 n. 1 (Tex. App.—Houston [1st Dist.] Oct. 14, 2010, no pet.) (per curiam) (not designated for publication) (“habeas corpus actions should be docketed separately and given a different cause number”); *Green v. State*, 999 S.W.2d 474, 477 (Tex. App.—Fort Worth 1999, pet. ref’d) (“Habeas corpus proceedings are separate and distinct proceedings independent of the cause instituted by the presentation of an indictment or other forms of the State’s pleadings. Such habeas corpus proceedings should be docketed separately from the substantive case and given a different cause number.”).

³⁸ Tex. Crim. Proc. Code Ann. art. 11.051 (West 2005) (“Notwithstanding any other law, a clerk of a court may not require a filing fee from an individual who files an application or a petition for a writ of habeas corpus.”). Chapter 11 of the Code of Criminal Procedure applies to all cases of habeas corpus controlled by Chapter 11. Tex. Crim. Proc. Code Ann. art. 11.064 (West 2005).

³⁹ Because this is a criminal case, these cases do not fall under the e-filing mandate requiring that civil cases be e-filed.

⁴⁰ Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 13, Civil Case Type Category 11 (writ of habeas corpus actions arising out of criminal cases should be classified as “Civil Cases Relating to Criminal Matters” in the “Civil Section” of OCA’s Official Monthly Report).

⁴¹ Tex. Att’y Gen. Op. No. GA-1044 (2014) (“The proceeding is a civil matter, independent of any criminal proceeding.”); Tex. Att’y Gen. LO-96-131 (1996) (“a petition applying for an occupational driver’s license is a new civil action unrelated to the prior proceeding in the convicting court”). Please note that a person’s driver’s license may be suspended for reasons both criminal and non-criminal. *See* Tex. Att’y Gen. Op. No. GA-1044 (2014) (example of non-criminal reason is nonpayment of child support obligations).

⁴² Tex. Att’y Gen. Op. No. GA-1044 (2014) (“Section 521.242 of the Transportation Code provides the procedure for a person whose driver’s license has been suspended to apply for an occupational license by filing a verified petition in certain courts.”). This procedure “to seek an occupational driver’s license for ‘essential need’ is separate from any right to challenge or appeal a driver’s license suspension.” *Id.*

⁴³ If the petitioner’s driver’s license was suspended because of a physical or mental disability or impairment or for driving while intoxicated, then the petition must be filed with the clerk of the court in which the petitioner was convicted. Tex. Transp. Code Ann. § 521.242 (West Supp. 2013). For other convictions, the petition may be filed with the clerk of a justice, county, or district court with jurisdiction that includes the precinct or county in which the petitioner resides or in which the offense occurred for which the license was suspended. *Id.*

⁴⁴Tex. Att’y Gen. LO-96-131 (1996) (“clerk should charge the statutory filing fee for an original action and issue a new cause number”). *See also* Tex. Att’y Gen. Op. No. GA-1044 (2014) (HB 438 [passed by the 83rd Legislature] does not eliminate a court’s authority to charge a fee for filing a section 521.242 petition.”).

⁴⁵ Because occupational driver’s license cases are civil cases, these cases come under the e-filing mandate requiring that civil cases be e-filed.

⁴⁶ Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 14, Civil Case Type Category 11 (occupational licenses should be classified as “Civil Cases Relating to Criminal Matters”).

⁴⁷ *Harris v. State*, 402 S.W.3d 758, 760 (Tex. App.—Houston [1st Dist. 2012, no pet.) (“Section 411.081 matters are civil”); *See e.g., Bergin v. State*, No. 06-06-00089-CV, 2006 Tex. App. LEXIS 7571 at *2-3 (Tex. App. – Texarkana Aug. 25, 2006, no pet.) (mem. op., not designated for publication) (“By providing that petitions for nondisclosure are subject to the same fees generally applicable to civil petitions, the Legislature indicated that it intended petitions for nondisclosure to be treated as civil actions.”).

⁴⁸ *See e.g., id.* (petition for an order of nondisclosure is similar to an expunction which is a civil proceeding “appealed in the same way as all other civil matters”). Please note the existence of a common belief that there can be no appeal from the denial of a petition for an order of nondisclosure. *See Guinn v. State*, No. 05-09-01295-CV, 2010 Tex. App. LEXIS 29, at *2-3 (Tex. App.—Dallas Jan. 6, 2010, no pet.). This is not entirely true. As noted in the *Guinn* case, the nondisclosure statute does not authorize the appeal of a petition’s denial. *Id.* at *3. Therefore, any appeal from a denial of a petition for an order of nondisclosure must be based on the general constitutional grant of appellate authority to the courts of appeals. *Bergin v. State*, No. 06-06-00089-CV, 2006 Tex. App. LEXIS 7571 at *4 (Tex. App.—Texarkana Aug. 25, 2006, no pet.). The general appellate jurisdiction of courts of appeals is limited to cases where the amount in controversy or the judgment rendered exceeds \$250. Tex. Gov’t Code Ann. § 22.220(a) (West Supp. 2013). Thus, in order for there to be an appeal from the denial of a petition for an order of nondisclosure the petitioner must show that there is an amount in controversy over \$250. Payment of civil filing fees cannot be used to establish the amount in controversy. *Harris v. State*, 402 S.W.3d 758, 761 (Tex. App.—Houston [1st Dist.] 2012, no pet.). However, the subjective value of obtaining an order of nondisclosure can be used to satisfy the amount-in-controversy requirement. *Id.* (“We similarly conclude here that the trial court’s finding that Harris has been denied employment and lost thousands of dollars in wages as a result of the 2001 deferred adjudication appearing on her record demonstrates that the subjective value of the nondisclosure order she seeks exceeds the jurisdictional threshold of \$250.”).

⁴⁹ Tex. Gov’t Code Ann. § 411.081(d) (West Supp. 2013) (“person may petition the court that placed the defendant on deferred adjudication for an order of nondisclosure”).

⁵⁰ Tex. Gov’t Code Ann. § 411.081(f-1) (West Supp. 2013) (“The petition must be accompanied by payment of a \$28 fee to the clerk of the court in addition to any other fee that generally applies to the filing of a civil petition.”).

⁵¹ Because petitions for an order of nondisclosure are civil cases, these cases come under the e-filing mandate requiring that civil cases be e-filed.

⁵² Office of Court Administration (OCA) Texas Judicial Council (TJC) Official District Court Monthly Report Instructions, 09/01/2013, p. 14, Civil Case Type Category 11 (nondisclosures should be classified as “Civil Cases Relating to Criminal Matters”).