

MISC. DOCKET NO. 04-9092

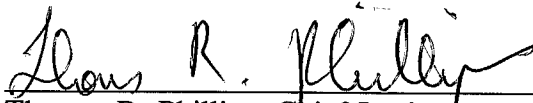
ORDER OF THE SUPREME COURT OF TEXAS

**Approval of Local Rules Governing the Procedure for Electronic Reception
and Filing of Documents by the District and County Clerk of
Crane County, Texas.**

ORDERED that:

Pursuant to Rule 3 of the Texas Rules of Civil Procedure, the attached Rules governing the Procedure for electronic filing of Documents by the District and County Clerk of Crane County, Texas, are approved. This approval is temporary pending further orders of the Court.

In Chambers, this ~~25th~~ day of May, 2004.



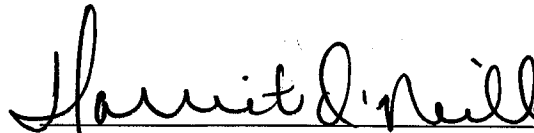
Thomas R. Phillips, Chief Justice

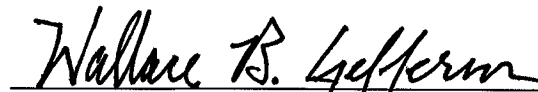



Nathan L. Hecht, Justice




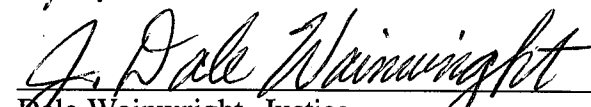
Priscilla R. Owen, Justice



Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Michael H. Schneider, Justice


Steven Wayne Smith, Justice


Dale Wainwright, Justice


Scott A. Brister, Justice

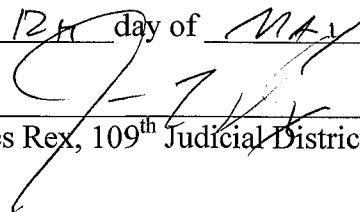
Rules Governing the Procedure for the
District and County Clerk of Crane County to Receive and File
Electronically Transmitted Court Documents

The following rules govern the procedure for the District and County Clerk of Crane County, Texas (“the clerk”) to receive and file electronically transmitted civil and criminal court documents only. Property records shall not be received or filed electronically.

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 of judgments.
2. The clerk is authorized to accept for filing Temporary Restraining Orders and Protective Orders, provided that the judge signing the Temporary Restraining Order or Protective Order forwards the original to the court clerk.
3. 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.
4. 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.
5. A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the local courts.
6. 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.
7. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedures, i.e., shall be on paper measuring approximately 8 ½ 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.
8. The sender shall maintain the original of the document with original signature affixed as required by Section 51.806, Texas Government Code.

9. A cover sheet must accompany every transmission which shall: (a) clearly identify the sender, the documents being transmitted, and the number of pages; (b) have clear and concise instructions concerning issuance or other request; and (c) have complete information on the debit authorization or escrow account debit for court costs and fees.
10. The clerk, upon receipt of an electronically transmitted document, shall verify the completeness of the transmission.
11. The clerk, when satisfied that the transmission is complete, shall confirm the debt authorization or escrow account debit and note the authorization on the cost receipt. 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.
12. 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.
13. After filing an electronically transmitted document, the clerk will electronically transmit to the sender an acknowledgment of the filing, together with a copy of the cost receipt, if any.
14. No citation or writ bearing the official seal of the court may be transmitted electronically.
15. 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.
16. 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., as determined by the clerk, and accepted for filing will be filed on the day of receipt. Transmissions completed after 5:00 p.m., on weekends or holiday 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.

APPROVED AND SIGNED this the 12th day of MAY, 2003.




James Rex, 109th Judicial District Court Judge

APPROVED AND SIGNED this the 27th day of May, 2003.




Donnie Henderson, County Judge



Jack Damron, Commissioner Precinct #1



Lewis Overton, Commissioner Precinct #2



Domingo Escobedo, Commissioner Precinct #3



Mickey Hurst, Commissioner Precinct #4

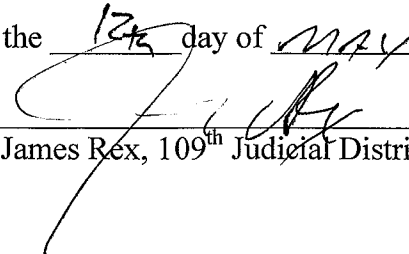
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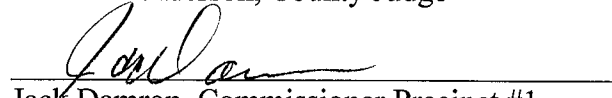
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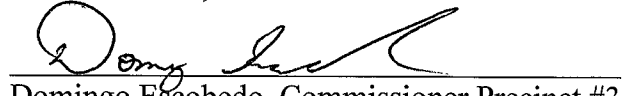
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