

MISC. DOCKET NO. 04-9108


ORDER OF THE SUPREME COURT OF TEXAS

**Approval of Local Rules of the Fourteenth Court of Appeals
concerning Electronic Records and Documents.**


ORDERED that:

Pursuant to Rule 3 of the Texas Rules of Civil Procedure, the attached Local Rules of the Fourteenth Court of Appeals concerning Electronic Records and Documents, are approved. This approval is temporary pending further orders of the Court.

In Chambers, this 31st day of May, 2004.



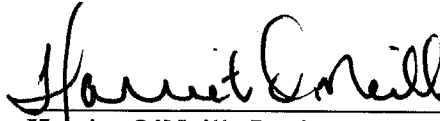
Thomas R. Phillips, Chief Justice

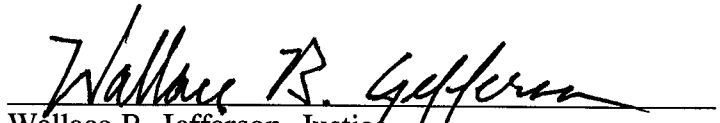


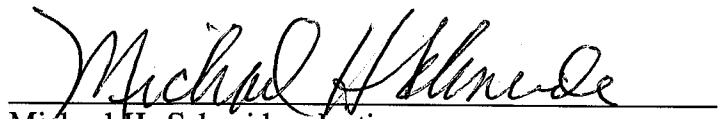
Nathan L. Hecht, Justice

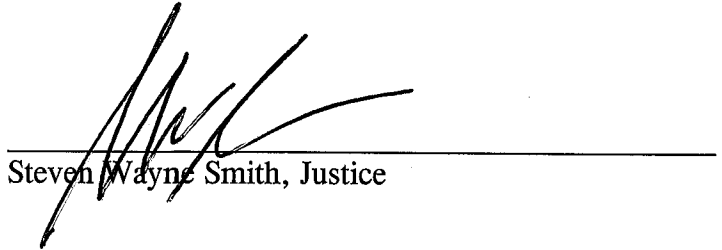


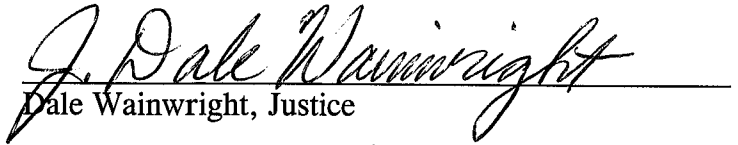
Priscilla R. Owen, Justice



Harriet O'Neill, Justice

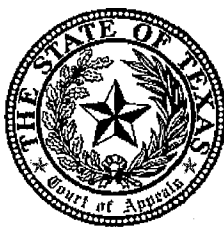

Wallace B. Jefferson, Justice


Michael H. Schneider, Justice


Steven Wayne Smith, Justice


Dale Wainwright, Justice


Scott A. Brister, Justice



Local Rules of the Fourteenth Court of Appeals

Rule 1. Scope of Local Rules.

These rules supplement the procedures in the Texas Rules of Appellate Procedure and, unless otherwise specified, govern procedure for civil and criminal appeals, original proceedings, and other matters before the Court of Appeals for the Fourteenth District of Texas at Houston. In the event of a conflict between these local rules and the Texas Rules of Appellate Procedure or any other state statute or rule, the Texas Rules of Appellate Procedure, statute, or rule shall control.

Rule 2. Electronic Records and Documents

2.1 Electronic Copy of the Clerk's Record.

In lieu of filing the clerk's record on "opaque, white 8½ x 11 inch paper," as required by the Appendix to Rule 34.4 of the Texas Rules of Appellate Procedure, the clerk may, but is not required to, file the clerk's record in an electronic format on a standard compact disk. If the record is filed in an electronic format, it must be certified as required by the Appendix to Rule 34.4 of the Texas Rules of Appellate Procedure by including with the compact disk a proper certification printed on opaque, white 8½ x 11 inch paper.

2.2 Electronic Copy of the Reporter's Record.

In lieu of filing the reporter's stenographic or tape-recorded record, as required by Rule 34.6 of the Texas Rules of Appellate Procedure, the court reporter may, but is not required to, file the clerk's stenographic record in an electronic format on a standard floppy or compact disk. If the record is filed in an electronic format, it must be accompanied by a proper certification as required by the current Uniform Format Manual for Texas Court Reporters.

2.3 Electronic Copy of Appellate Briefs, Motions, and Original Proceedings.

Any original document filed with the court must be in the form provided by Rule 9.4 of the Texas Rules of Appellate Procedure. However, in lieu of filing multiple copies of documents as required by Rule 9.3(a) of the Texas Rules of Appellate Procedure, a party may, but is not required to, satisfy the requirement of multiple copies by filing with the original document one copy in an electronic format on a standard floppy or compact disk. This local rule does not apply to a petition for discretionary review.

Notes & Comments:

Floppy disks must be standard 3½-inch, 1.44MB floppy disks. Optical or compact disks must be standard, single session, 700MB CD-ROM disks. If presented in an electronic format, all imaged files must be in a Tagged Image File Format (.tiff). Text files must be searchable and may be in any one of the following formats: Microsoft Word (.doc), Corel WordPerfect (.wpd), Rich Text Format (.rtf), Adobe Acrobat 5.0 or higher portable document format (.pdf), or ASCII (.txt). The page limits, font sizes, margins, etc. imposed by the Texas Rules of Appellate Procedure are applicable to all electronic documents and records.

Electronic documents or records presented to the court that are not in one of the aforementioned formats or, for whatever reason, are not compatible with the court's network will not be accepted. In which case, the party or entity submitting the document will be required to submit the proper number of original documents and copies on paper as required by the Texas Rules of Appellate Procedure.

Order Adopting Local Rules

IT IS ORDERED that, effective September 1, 2004, these rules are adopted as local rules for the Fourteenth Court of Appeals with the permission of the Texas Supreme Court and the Texas Court of Criminal Appeals. The notes and comments appended to the local rules are not part of the rules and do not have the same force and effect as the rules.

Chief Justice Adele Hedges

Justice Leslie Brock Yates

Justice John S. Anderson

Justice J. Harvey Hudson

Justice Wanda McKee Fowler

Justice Richard H. Edelman

Justice Charles Seymore

Justice Kem Thompson Frost

Justice Eva M. Guzman