

ORDER

OF THE SUPREME COURT OF TEXAS

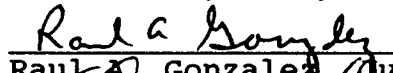
The Supreme Court of Texas hereby approves the system of receiving electronically transmitted information for filing by the County Clerk of Potter County as established by the order of January 10, 1990, signed by the Judges of The County Court at Law #1, Potter County Court at Law #2 and the Potter County Judge.

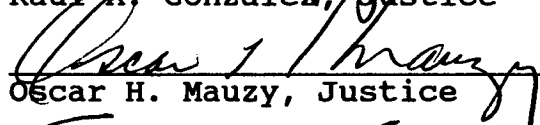
In Chambers, this 3rd day of January, 1990.


Thomas R. Phillips, Chief Justice


Franklin S. Spears, Justice


C.L. Ray, Justice



Raul A. Gonzalez, Justice


Oscar H. Mauzy, Justice


Eugene A. Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd A. Doggett, Justice

**ORDER ESTABLISHING A SYSTEM FOR
ELECTRONIC FILING OF DOCUMENTS IN THE
COUNTY COURTS AT LAW AND COUNTY COURT OF POTTER COUNTY**

The County Courts at Law and County Court of Potter County, Texas hereby adopt the following system for the electronic filing of documents by the County Clerk of Potter County.

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; or (d) wills.

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 cost and fees have been paid. Court cost and fees may be paid by Mastercard or Visa or through an escrow account established with the clerk. Documents tendered to the clerk electronically without payment of court cost 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 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. Local rules 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, ie. shall be in writing, on paper measuring approximately 8 1/2 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.

C. A cover sheet must accompany every transmission and shall:

- (1) clearly identify the sender, the documents being transmitted, and the number of pages;
 - (2) have clear and concise instructions concerning issuance or other request; and
 - (3) have complete information on the charge card authorization or escrow account debit for court cost and fees.
- D. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
- E. The clerk when satisfied that the transmission is complete shall confirm the credit card authorization and note the authorization code 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.
- F. If the transmission is found to be incomplete or court cost 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.
- G. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgement of the filing, together with cost receipt, if any.
- H. No citation or writ bearing the official seal of the court may be transmitted electronically.
- I. 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.
- J. 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.

It is therefore **ORDERED** that this system for electronic filing of documents in the County Courts at Law and County Court of Potter County, Texas be, and the same is adopted, effective upon approval by the Supreme Court of Texas; 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 County Courts at Law and County Court of Potter County, Texas.

SIGNED this the 10 day of January, 1980.



Morris L. Overstreet

Judge of the County Court at Law # 1
in and for Potter County

Richard Dambold

Richard Dambold

Judge of the County Court at Law #2
in and for Potter County

Elisha L. Demerson

Elisha L. Demerson
Potter County Judge