

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 01- 9217

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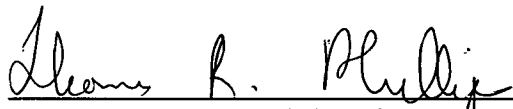
**ORDER APPROVING LOCAL RULES FOR ELECTRONIC FILING  
IN THE DISTRICT COURTS OF ARANSAS COUNTY**

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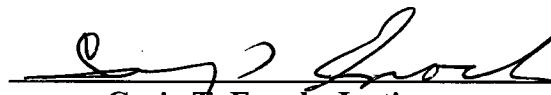
**ORDERED that:**


Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the following Local Rules for Electronic Filing in the District Courts of Aransas County are approved. This approval is temporary pending further orders of the Court.

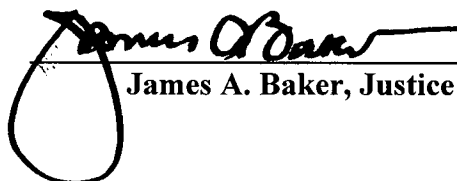
SIGNED AND ENTERED this 18<sup>th</sup> day of December, 2001.

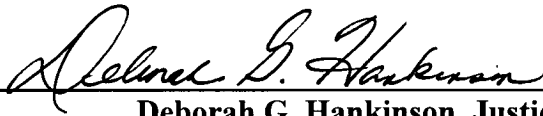
  
\_\_\_\_\_  
Thomas R. Phillips, Chief Justice

  
\_\_\_\_\_  
Nathan L. Hecht, Justice

  
\_\_\_\_\_  
Craig T. Enoch, Justice

  
\_\_\_\_\_  
Priscilla R. Owen, Justice

  
\_\_\_\_\_  
James A. Baker, Justice



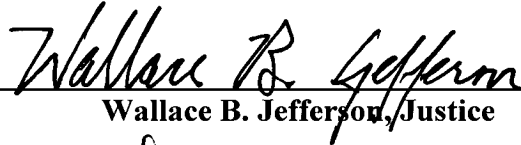
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Deborah G. Hankinson, Justice



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Harriet O'Neill, Justice



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Wallace B. Jefferson, Justice



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Xavier Rodriguez, Justice

**PROPOSED RULES GOVERNING THE PROCEDURE FOR  
THE DISTRICT CLERK OF ARANSAS COUNTY TO RECEIVE AND  
FILE ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

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

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; (d) documents not on 8 ½"x 11" paper.
2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed by laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.
3. Court costs, fees, and electronic transmission filing fees may be paid by a credit card approved by the clerk. Credit card charges will be added to the transaction. Documents tendered to the clerk electronically without payment of court costs, fees, and electronic transmission fees, 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 local 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. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring approximately 8 ½ x 11 inches, shall be signed individually by the party or 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.
7. The sender shall maintain the original of the document with original signature affixed as required by section 51.806, Texas Government Code.
8. 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 charge authorization for court costs and fees.
9. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

10. The clerk when satisfied that the transmission is complete shall confirm the charge 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.
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.
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.
13. No citation or writ bearing the official seal of the court may be transmitted electronically.
14. 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.
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 receipt but not time 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 p.m., the clerk shall verify receipt and filing before 10:00 a.m. on the next business day. Transmissions completed 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.

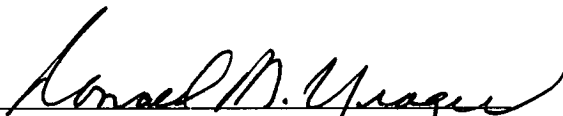
ORDER FOR THE DISTRICT CLERK OF           \$    IN THE DISTRICT COURTS  
ARANSAS COUNTY TO ACCEPT PLEADINGS   \$  
BY FAX   \$    ARANSAS COUNTY, TEXAS

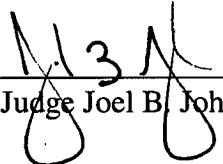
JOINT ORDER OF THE 36<sup>TH</sup>, 156<sup>TH</sup> AND 343<sup>RD</sup> JUDICIAL DISTRICT COURTS OF  
ARANSAS COUNTY, TEXAS, PURSUANT TO TEXAS GOVERNMENT CODE,  
SECTIONS 51.803, 51.807 CONCERNING FAX FILING.

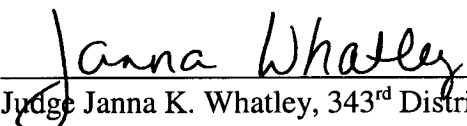
On this date the undersigned, the District Judges of Aransas County, having determined that the District Courts of Aransas County have need to receive pleadings by fax, find it necessary to adopt local rules for the procedure of fax filing.

It is hereby ORDERED that the rules attached herein in Exhibit "A" and made a part of this order for all purposes are hereby adopted and shall include by reference the Local Rules of the District Courts of Aransas County.

Signed this 17<sup>th</sup> day of May, 2001.

  
\_\_\_\_\_  
Judge Ronald M. Yeager, 36<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Joel B. Johnson, 156<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Janna K. Whatley, 343<sup>rd</sup> District Court

**CERTIFICATE OF APPROVAL**

As Presiding Judge of the Fourth Administrative Judicial Region, I hereby approve the enclosed Proposed Rules and forward them to the Texas Supreme Court for its consideration.

*David Peoples*

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DAVID PEEPLES, PRESIDING JUDGE

*June 1, 2001*

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(Date)



## The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

JUSTICES  
NATHAN L. HECHT  
CRAIG T. ENOCH  
PRISCILLA R. OWEN  
JAMES A. BAKER  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
WALLACE B. JEFFERSON  
XAVIER RODRIGUEZ

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE  
ASSISTANT  
NADINE SCHNEIDER

December 19, 2001

Hon. Ronald M. Yeager  
Admin Judge and Judge  
36th District Court  
Post Office Box 1303  
Sinton, Texas 778387-1303

Dear Judge Yeager,

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

Sincerely,

**SIGNED**

John T. Adams  
Clerk

Encl.

cc: Hon. David Peeples  
4th Judicial Admin Rgn

Hon. Joel B. Johnson

Hon. Janna K. Whatley

District Clerk

County Clerk

Supreme Court Adv Committee

State Law Library