

## **E-Filing Business Processes**

The Caldwell County District Clerk's office is **mandated** to begin e-File for civil and family cases in **January 2016**. (Supreme Court Order 12-9208). **That means no paper** documents filed at the counter or by fax, except for those documents and filers exempt from the eFiling mandate.

**WHEN SUBMITTING A FILING THROUGH E-File, please allow 24 hours for the filing to be processed. If you are appearing in court prior to the 24 hour processing time you will need to provide a courtesy copy of the filing to the Court.**

### **Motions needing hearing dates**

**Contact the court coordinator prior to efileing the motion. Efile the hearing notice once you have a date approved by the court coordinator.**

if TRO/Protective Order adhere to local rules in requesting these types of orders. (in person before judge).

## **Texas Systems of E-Filing**

The Texas model of eFiling is based on an outside vendor functioning as the Electronic File Manager (EFM). This entity is responsible for the security, storage, functioning and financial transactions for the state. Electronic File Service Providers (EFSPs) are entities that contract with the filers (lawyers and self-represented individuals) to transmit the document or pleading to the EFM. The new EFM in Texas is Tyler Technologies or eFile Texas. There is a list of EFSPs on the eFile Texas website.

The documents must be transmitted in conformity with the technical standards set by the Joint Committee on Information Technology. Highlights of the standards are that documents must be in a word searchable pdf format reference 1.5, the documents must be 8 1/2 by 11 inches, and the document should comprise 1pdf document not multiple pdf documents within a pdf document. It has to have 300 DPI resolution. That means you need a decent scanner. If you are submitting audio/video material it must conform to the JCIT standards.

### **Submitting a Pleading for Filing**

The Filer submits the eFiling through EFSP> The EFM has a number of training videos to help guide you through the filing process. Go to [www.efiletexas.gov](http://www.efiletexas.gov) for more information.

You put the parties' names, addresses, court information and county in the EFSP software just as it is in the petition. If it is a pending case you put in the cause number. If the case is a pending case with a cause number then it will be referred to as a subsequent filing. Depending on which EFSP is used you may receive a message that says "No Cases Found". You should check and make sure that the cause number is correct, the county is correct, and then proceed. Each document submitted in an envelope must be a complete document in and of itself. It cannot be 2 documents submitted together. It cannot be a document and an exhibit or attachment. You may have multiple documents in an envelope;

however, they all must be separate pleadings filed in the same cause number. If you wish to submit an order through eFiling the first page needs to be a letter telling the clerk to submit the order to the Court

for signature. The order will be sent to the Court. After the order is signed by the Court, the court will file the order with the Clerk and the Clerk will process it. By submitting the letter as the first page only the letter will be file-marked initially.

**Confidential Information: DO NOT SEND CONFIDENTIAL INFORMATION THROUGH E-FILING:** If you have a document with confidential information, then obtain an order sealing document prior to filing. You must notify clerk if confidential information is filed so proper statutes are followed in redaction.

If you have sensitive information and cannot get an order sealing it, file over counter. At least this way only the clerk that looks at your case can see it.

When you are submitting a document the case type and document type will determine your fees. Optional screens will appear that allow you to select additional services or pay additional fees. Selecting the correct case type is important in order to have your submission approved.

It is important that your party names and addresses be as they are in the original suit so that it is not rejected automatically or at least can be matched to a case.

## **Fees**

The correct statutory fees are to be added by the filer and are subject to rejection. If you are unsure of the correct fees, please review the fee schedule located on our website, or call the Caldwell County District Clerk's Office at 512-398-1806. When a submission with fees is made, a "hold" will be placed on the amount of funds needed for the transaction: **Submission may be returned for incorrect fees.**

## **Issuance and County Service Fees (citation, notices, etc.)**

If issuance is requested, please fill out a request for issuance form and file along with your documents. The citations can be forwarded on to the constable if proper payment and address is given to determine correct precinct or process server can pick up. The District Clerk will only accept fees for service by LOCAL law enforcement. The payment of process server will be strictly between the attorney (party requesting the service) and process server.

**If a service document is needed**, you will need to include payment of copies upon request of issuance for sufficient copies of the documents through the e-filing system or you may provide copies for the issuance. **If you choose to provide copies to the clerk's office citations/issuance will not be processed until copies are received in the district clerk's office. If you require that the issuance be mailed back to you, YOU MUST PROVIDE A SELF-ADDRESSED ENVELOPE WITH THE CORRECT POSTAGE OR ISSUANCE WILL BE HELD UNTIL PROPER FEES ARE PAID.**

NOTICE---PLEASE DO NOT FILE DUPLICATE RETURNS OF SERVICE. IF PROCESS SERVER IS MAKING A RETURN TO THE COURT THEN WE DO NOT WANT THE ATTORNEY'S COURTESY COPY FOR THE FILE.