

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 06-~~8120~~

APPROVAL OF ORDER ESTABLISHING A SYSTEM FOR
FACSIMILE FILING OF DOCUMENTS IN GRAY COUNTY

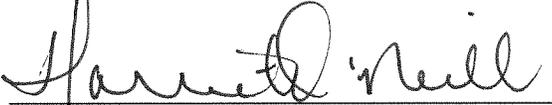
ORDERED that:

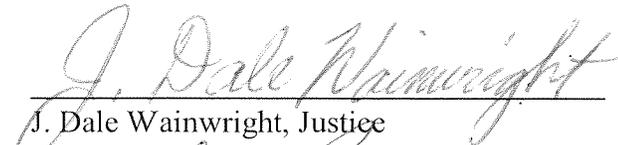
Pursuant to Texas Rule of Civil Procedure 3a, the following Order Establishing a System for Facsimile Filing of Documents in Gray County is approved.

In Chambers, this 21st day of August, 2006.

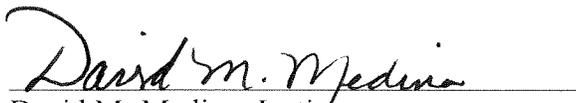

Wallace B. Jefferson, Chief Justice


Nathan L. Hecht, Justice

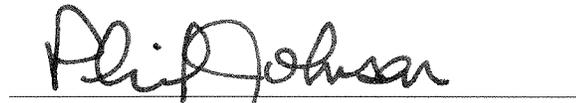

Harriet O'Neill, Justice


J. Dale Wainwright, Justice


Scott Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice

Don R. Willett, Justice

**ORDER ESTABLISHING A SYSTEM FOR
FACSIMILE FILING OF DOCUMENTS IN
GRAY COUNTY, TEXAS**

The County Court of Gray County, Texas does hereby adopt the following system for the electronic filing of documents by the County Clerk of Gray County.

1. The County 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 issuance; (b) bonds; or (c) signed orders or judgments.
2. Documents electronically transmitted for filing will be received by the clerk on plain paper facsimile and printed by a thermal inkjet printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed. Documents tendered to the clerk via facsimile which do not conform to applicable rules will not be filed.
3. A fee schedule for electronic filing shall be adopted annually by the clerk and approved by the Court.
4. 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.
5. 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 requirements for filing established by the Texas Rules of Civil Procedure, i.e. Shall be in writing, on paper measuring approximately 8 ½ 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.

- D. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
- E. The documents tendered electronically shall be deemed accepted for filing when the clerk is satisfied that the transmission is complete, and the clerk shall then affix the official date and time file stamp to the document.
- F. If the transmission is found to be incomplete, 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 acknowledgment of the filing, together with cost due. A fee of 25 cents per page will be charged upon receipt of any document. Payment for said charges should be received within three (3) working days of filing.
- 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 pm and accepted for filing will be filed on the day of receipt. Transmissions completed after 5:00 pm on normal business days, on weekends or holidays, will be verified and filed before 10:00 am 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 Court of Gray 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 Court of Gray County, Texas.

SIGNED this the 27 day of July, 2006.



RICHARD D. PEET, JUDGE
COUNTY COURT
GRAY COUNTY