



Velva Price, Travis County District Clerk
Dana DeBeauvoir, Travis County Clerk

E-FILING IN TRAVIS COUNTY CRIMINAL CASES





The Big Picture






❖ Key Dates for

Travis County Criminal E-Filing Mandate:

County Clerk – July 1, 2017

District Clerk – January 1, 2018

Why the change?

- The Supreme Court of Texas, with the Court of Criminal Appeals, has amended Statewide Rules governing Electronic Filing in Criminal Cases, effective May 1, 2017.
 - The “Final Order...Governing Electronic Filing in Criminal Cases” can be found at <http://www.txcourts.gov/media/1438082/179039.pdf>.
 - These rules set forth the requirements for filing documents electronically with the Courts in Travis County.
 - Email address of anyone who electronically files is required on the document.
- 

Benefits to E-Filing (it's not a bad thing...I promise)

- You receive email notification upon acceptance of your document, including access to file-stamped copies.
- You have the flexibility to file documents at your convenience before and after business hours (unless required to file by time-certain due to rule, statute, or Court order). (See Rule 2.3)
- You can file from home, office, or while on vacation, without having to drive to the Courthouse and search for parking.

Fees

- The Travis County Clerk's Office and District Clerk will not charge a fee for e-filing into Criminal cases.
- You must file into eFileTexas by using an Office of Court Administration (OCA) approved Electronic Filing Service Provider (EFSP). (See Rule 2.1)
 - Some EFSPs charge a fee for filing or for credit card payment processing.
 - There are EFSPs options that are free of charge.
 - See <http://www.efiletexas.gov/service-providers.htm> for more details.

Electronic Filing Service Providers (EFSPs)

EFSPs with Free E-Filing Options



[State Provided EFSP details »](#)



[Court File America details »](#)



[FileTime details »](#)



[Green Filing details »](#)



[iDocket details »](#)



[One Legal details »](#)



[TurboCourt details »](#)



[US Legal PRO details »](#)

EFSPs with Additional Services and Related Costs



[eLawServices details »](#)



[File & Serve Texas details »](#)



[FilePilot details »](#)



[MyFileRunner details »](#)



[ProDoc eFiling2 details »](#)



2

Get trained

Training Options

- Most EFSPs will provide webinar training that is specific to their product.
- Some courses have been approved by Tx. State Board of Continuing Legal Education for 1hr CLE Credit.
- Details on training may be found at <http://www.efiletexas.gov/filers/filer-upcoming-training.htm>

Resources Available



- CLE credit available for attorneys
- Web Training Sessions
- Training Videos
- Both Mac and PC Get Started Guides
- Quick Reference Guide
- Filer User Guide
- Court User Guide

Upcoming Training for Filers

We have a number of training opportunities coming up for filers. [Register for webinar training sessions »](#)

Firm Administrators — [We are offering training sessions specifically for firm administrators »](#)

Please note, CLE credits are not available for firm administrator training.

- [View recorded firm administrator training sessions »](#)

Attention Attorneys — Courses have been approved by the Texas State Board of Continuing Legal Education for a one hour standard continuing legal education (CLE) credit.

You may access recorded webinars and after completion your information will be reported to the Texas State Board for a one hour CLE credit.

- [Access recorded webinar training sessions »](#)

We continue to offer live webinars; however *CLE credits are not available for live training.*

- [Register for live webinar training sessions »](#)



Basic eFiling Information

What you need to know...



E-Filing Key Points

- Only Attorneys are required to e-file. (See Rule 1.2)
 - *Self represented/unrepresented Persons may file paper documents.*
- Document must be marked as containing sensitive information if it contains certain information. (See Rule 4.4)
 - *Sensitive information includes driver's license number, passport number, social security number, etc. (See Rule 4.1 for complete list)*
- Sensitive data must be redacted by using the letter 'X' in place of each omitted digit or character. Filing person must retain un-redacted version during pendency of case and appellate proceedings filed within 3 years judgment signed. (See Rule 4.3)
- If document must contain *un-redacted* sensitive information, mark upper left hand side of page "Notice this document contains sensitive information" (See Rule 4.4)
- Email address of anyone who electronically files is required on the document. (See Rule 2.4)

To file or not to file?

MUST E-FILE (Mandatory)

- All subsequent documents, pleadings, and materials filed by an attorney with the Clerk

MAY E-FILE (Not Mandatory)

- Court Reporters Transcripts
- Charging Instruments
- Exhibits filed in court
- Plea paperwork
- Documents filed by Pro-Se defendants

MAY NOT E-FILE (Restricted)

- Documents filed under seal or presented to court in camera
- Documents restricted by these rules, law or court order

Motion/Order/Request for Hearing

Type of Filing	Current Practice	After June 30, 2017 (County Clerk) After December 31, 2017 (District Clerk)
Motion submitted for same-day ruling in court	Provide motion/order to Judge via paper for ruling.	No change. File original signed order with Clerk – motion once signed = order
Motion submitted for ruling at a later date	Filed in court or over counter w/Clerk's Office. Contact Court for hearing date.	Must be e-filed. Contact Court for hearing date
Misc. documents and letters filed into a case	Filed in court or over counter w/Clerk's Office. Contact Court for hearing date	Must be e-filed. Contact Court for hearing date

E-Filing Do's



- ✓ Select and register with your preferred EFSP Provider
- ✓ Review the EFSP Training
- ✓ Lead documents are date stamped, attachments are not. File separate motions as individual lead documents.
- ✓ One envelope = one cause number. You can file multiple lead documents in a single envelope for a single case.

E-Filing Do's



- ✓ Remember to indicate who is to serve your subpoena when submitting a request. No notation will = service by our constable.
- ✓ Format Cause Numbers C-1-CR-YR-XXXXXX or D-1-DC-YR-XXXXXX.
- ✓ Review correct formats for electronically filed documents (i.e. text-searchable PDF, unlocked, etc.). (See Rule 2.2)
- ✓ Keep in mind that filings will occasionally be returned for correction. (See Rule 2.6, 4.5)
 - You will be notified via email, so remember to review your email for all acceptance and return notifications.

E-Filing Don't's



- ⊗ Don't e-file documents under seal or presented to the court in camera. (See Rule 1.3)
- ⊗ Don't file *unredacted* sensitive information unless specifically required, and don't forget to include the "sensitive information" header on the document if you do have to file this way.
- ⊗ Don't combine filings for different cases into one envelope. One envelope = one cause number

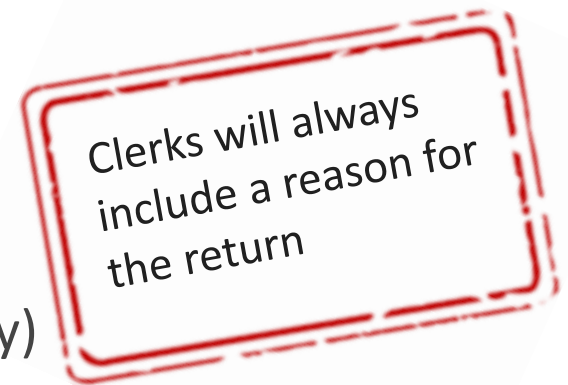
E-Filing **Don't's** continued



- ⊗ Don't combine multiple motions into one PDF. One motion=one lead document.
- ⊗ Don't file signed orders through e-file.
- ⊗ Don't file documents that aren't compliant Rule 2.2 or with OCA Technology Standards Rule 3.1 .
<http://www.txcourts.gov/media/1435816/technology-standards.pdf>
- ⊗ Don't hesitate to contact the appropriate Clerk or your EFSP with questions.

My filing wasn't accepted-Why?

- Document submitted to incorrect office/jurisdiction
- Document contains incorrect or missing information such as cause number or wrong defendant name
- Document includes multiple filings
- Document unsigned or not legible (poor quality)
- Document not allowed to be filed per statute/local rules
- Document doesn't comply with formatting requirements





Frequently Asked Questions

What you need to know...



Important Detail:

**E-File is a Delivery Method,
not a Case Management
System**

FAQ's ABOUT E-FILING

- **How do I file into a sealed/restricted file?**
 - ✓ Paper only
- **When are the documents deemed filed?**
 - ✓ When you press submit
- **Can I sign documents electronically?**
 - ✓ Yes – “/s/name” or digital image of signature
- **Do I have to use an EFSP?**
 - ✓ Yes, but you can sign up for multiple EFSP providers.

FAQ's ABOUT E-FILING

- **How long does it take for a clerk to process my filing?**
 - ✓ 24 – 48 hours
- **Can I electronically file while I am at the Courthouse?**
 - ✓ Yes, presently at HMS (County Clerk's Office has a terminal on the 2nd Floor and District Clerk on 1st floor)
 - ✓ In Jan. 2018 – CJC will have terminal in District Clerk office
- **When are documents deemed filed?**
 - ✓ When you press submit and if correction requested if document reset by deadline – usually 72 hours. (Rule 2.6)



Resources



Helpful Statewide Weblinks

- Texas Courts website: <http://www.txcourts.gov>
- eFile Texas Portal: <http://www.efiletexas.gov>
- Judicial Committee on Information Technology:
<http://www.txcourts.gov/jcit>
 - Technology standards
 - OCA e-filing contract
 - Supreme Court Mandate
 - Court of Criminal Appeals Mandate
 - Local County e-filing practices
- Supreme Court Misc Docket 17-9039
Criminal E-Filing Order
<http://www.txcourts.gov/media/1438082/179039.pdf>

Other District Clerk Updates

- Free copies if you are an attorney appointed to case
 - Bring Order of Appointment when requesting free copies
- Expunction Section moving to Blackwell Thurman CJC on June 26, 2017
- Free copy of Indictment for accused/counsel
(Code of Criminal Procedure Arts. 1.05, 25.01, 25.03)
- Free copy of document which contains accusations
(Code of Criminal Procedure Art. 1.05)

Other County Clerk Updates

- Free copies if you are an attorney appointed to case
 - Bring Order of Appointment when requesting free copies
- Update on Case Management System (CMS) & Document Management System (DMS)/
electronic availability of documents

District Clerk Contact Information

districtclerkhelp@traviscountytexas.gov

Criminal Division

Division Director

Amy Manor – Amy.Manor@traviscountytexas.gov

Grand Jury

Linda Estrada – Linda.Estrada@traviscountytexas.gov

Records

Heather Zuniga – Heather.Zuniga@traviscountytexas.gov

Finance Division

Director

Robert Chappell – Robert.Chappell@traviscountytexas.gov

County Clerk Contact Information

misdemeanor@traviscountytexas.gov

Misdemeanor Division

Division Director

Heather Kellum – Heather.Kellum@traviscountytexas.gov

Office Manager

Amanda Green – Amanda.Green@traviscountytexas.gov

1000 Guadalupe St., Suite 222

512-854-9188

www.traviscountyclerk.org

County Attorney Contact Information

County Attorney by Court Location

cc3efile@traviscountytexas.gov

cc4efile@traviscountytexas.gov

cc5efile@traviscountytexas.gov

cc6efile@traviscountytexas.gov

cc7efile@traviscountytexas.gov

cc8efile@traviscountytexas.gov

cc9efile@traviscountytexas.gov

We are always striving to better the process!

Questions?