

Re: Criminal E-filing

Dear Attorneys and Legal Staff:

As you all are aware, the Texas Supreme Court has adopted rules for criminal e-filing. Although, not mandated yet, the Rains County District Clerk's Office is ready and encourages you to utilize this method.

Please note, the *only exception* to this e-filing option is Indictments and Judgments, which must continue to be the original signed document.

Court Appointed Attorneys should create a "waiver payment account" in the firm's e-file account.

This will be necessary to file pre-indictment "Application for Writ of Habeas Corpus" cases, as these are actually civil cases relating to criminal matters. As per the Texas Supreme Court mandate, all documents that are a part of civil matters *must* be e-filed.

A "waiver payment account" will allow the case to be filed without fees being assessed against a Court Appointed Attorney.

If using www.efile.txcourts.gov to submit filings, a "waiver" payment account can be created through "Firm Admin" and "Payments Accounts".

These cases will be assigned civil case numbers instead of special writ case numbers as in the past.

First and foremost, please ensure email addresses are contained in the pleadings. If there is a return email address that is preferred and it is not in the pleading, please ensure it is noted or contained in any cover letters.

When filing into an Indicted Felony case, the only required field is the "Filing Code" and "Lead Document". Other fields such as "Filing Description" and "Reference Number" may be completed at your discretion.

Upload the primary pleading, as the *initial* lead document. Upload any exhibits and/or affidavits *with* the pleading in lieu of using the attachment option. Cover letters, along with any other document in need of a file-stamp, should follow and be a separate lead document. *Attachments do not receive a file-stamp.*

Please upload each individual pleading as a lead document, this will ensure a file-stamp is applied to the pleading.

Please submit proposed orders in a *separate* envelope, this will ensure the filing of other pleadings are not delayed. If an order has to be forwarded to the Judge for signing, it puts the entire envelope and its contents in suspense until the Judge returns the signed order.

Any instructions, notes, or contact information would greatly benefit this office. You may use the "Filing Comments" to include them with your filing.

This office looks forward to working with you and assisting your office any way possible with questions concerning your e-filing.

If you have any questions, please do not hesitate contact me at (903)473-5000 ext. 101.

Sincerely,

Laura Pate
Deputy

/lp