

**Electronic Filing Checklist
for
County and District Clerks
May 2009**

Clerks can use the following checklist items to guide their preparation for implementing electronic filing. Each checklist item includes a contact who can answer questions concerning that requirement.

Items 1 (local rules) and 2 (service level agreement) require the most time and should be completed first. These two steps can be done together or in any order you prefer.

1. Standard local rules. The Supreme Court has established a statewide standard for local electronic filing rules. Examples of approved rules are available at <http://www.courts.state.tx.us/oca/jcit/Efiling/EfilingHome.asp>. Local judges must adopt the standard local rules verbatim and submit them to the Supreme Court for approval. No changes are allowed in the standard rules. Supreme Court approval takes approximately 4 weeks. After local judges adopt the local rules, the rules must be posted for 30 days in accordance with Rule 3a(4) of the Texas Rules of Civil Procedure. Local judges do not need to wait for a Supreme Court approval order before posting the rules locally for the required 30 days. For more information, contact NIC at 512-542-3558.

2. Service level agreement. The county commissioners must approve a service level agreement or contract with NIC. The agreement defines privacy, security, obligations, fees, and notices associated with the electronic filing services. An example of the standard service level agreement is available from NIC. For more information, contact NIC at 512-542-3558.

3. Convenience fee. [Texas Government Code 2054.111\(e\)](#) allows local governments to collect a convenience fee to recover costs incurred through using TexasOnline. The recoverable costs must be certified by the county's chief financial officer and the proposed fee must be approved by the local government using the local government's standard approval process for fee increases. Once those two criteria are met, the Department of Information Resources will consider the fee proposal and may approve its collection. For more information, contact the Department of Information Resources at 512-463-5159.

4. Jurisdiction profile. To establish your electronic filing requirements, you will complete TexasOnline forms to list your courts, staff member account needs, document format preferences, and fees information. The information provided will be used by TexasOnline to set up your accounts and to present your information to filers. For more information, contact NIC at 512-542-3558.

5. Electronic filing bank account. All filing fees are guaranteed by TexasOnline, so clerks do not have to worry about trying to collect on bad checks or credit cards. Funds collected by TexasOnline (including filing fees, service fees, and convenience fees) are deposited in the account you designate. To aid in auditing and accounting, clerks can open a separate “E-FILE” account for the automatic deposit of fees collected by TexasOnline. For more information, contact NIC at 512-542-3558.

6. Training. As one of the final steps toward implementation, TexasOnline provides training for your staff. Based on coordination and agreement between the parties, the training may be onsite in your office or at a training facility. Implementation will not be set until your staff is trained and ready. For more information, contact NIC at 512-542-3558.

7. Marketing. TexasOnline will assist you in getting electronic filing information to your filers. We will provide you press releases for your use with the print and broadcast media. We will also assist you in scheduling and presenting e-filing presentations and demonstrations for your filers, which includes providing mandatory continuing legal education (MCLE) credit. Finally, the service providers will market their e-filing services directly to law firms. For more information, contact NIC at 512-542-3568.

8. Case management system interface. One of the benefits of electronic filing is that it provides your office a means to automatically enter data in your case management system. While not required for e-filing implementation, a direct interface can reduce staff time and potential errors in entering data into your case management system. NIC will provide interface specifications and coordination with your software vendor. Counties that provide their own case management software can also develop the required interface. Specifications for the case management electronic filing interface can be requested from OCA or NIC. For more information, contact the Office of Court Administration at 512-463-1641 or NIC at 512-542-3558.

9. Frequently asked questions. Clerks considering implementing e-filing frequently have questions or concerns similar to those asked by others. The Office of Court Administration has developed a list of questions and answers that may cover many of your issues. Answers to these “FAQs” are available on the JCIT website at www.courts.state.tx.us/jcit/Efiling/pdf/FAQMay2004.pdf . For more information, contact the Office of Court Administration at 512-463-1641 or NIC at 512-542-3558.