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### **E-filing Business Processes**

Detailed information and instructions for e-filing and choosing an EFSP (electronic filing service provider) may be found at <http://www.eFileTexas.gov/>. We encourage you to visit the eFileTexas.gov website as it is very informative and helpful to e-filers. Also, the Supreme Court Mandate on e-filing may be viewed at [www.supreme.court.state.tx.us](http://www.supreme.court.state.tx.us).

Documents must be transmitted in conformity with technical standards set by the State of Texas Joint Committee on Information Technology JCIT, see the efiletexas.gov website for complete details.

Highlights: Documents must:

- be in a word searchable pdf format reference 1.5
- be 8-1/2 by 11 inches
- have 300 DPS resolution

Audio/video material must conform to the JCIT standards.

In addition, scan documents only in black and white, not color, as color documents require more storage space. All scanned documents **must be** clear and readable as they will become the original court files.

**Submissions will be returned for correction** by the District Clerk for the following reasons:

Note: The list of returns below is not all-inclusive. If your e-file is returned, please refer to the comment section of your returned e-file for further explanation.

#### **Wrong jurisdiction:**

The e-filed document indicates a different county or the Williamson County Clerk instead of the Williamson County District Clerk.

#### **Fee issues - incorrect fees, missing fees, insufficient funds:**

eFileTexas.gov places a "hold" on the amount of funds based on your filing selection. If you have made an incorrect choice and the amount is actually higher, your submission will be returned for correction since the higher amount is not guaranteed.

#### **Poor quality of document:**

The e-filed document is illegible or unreadable.

#### **Document not allowed to be e-filed:**

Statutes/rules prohibit the e-filing of the document. (Usually discovery documents directed to case parties or documents which have been designated as confidential)

#### **Incorrect/Incomplete Information:**

The document must have the correct cause number, case type, case category, filing code and party names. Blank pages should be deleted from the e-filed documentation before submission.

## **General E-filing directions:**

### **Lead documents:**

All filings submitted through eFileTexas.gov should be e-filed as separate lead documents.

### **Exhibits:**

*If an exhibit is referenced in your pleading*, the exhibit should be filed with that pleading as one document, not as an attachment or separate lead document. The only exception is if the size of the pleading is over 200 pages, it may be necessary to divide it into 2 separate lead documents because of file size restrictions.

### **Motions needing hearing dates:**

Submit motions through eFileTexas.gov. **Do not submit a blank notice of hearing** with the motion. Once you receive the e-mail notifying you that the motion has been accepted by the District Clerk's office, call the court to coordinate a hearing date and time. Then submit a **completed** notice of hearing through eFileTexas.gov affirming the established date and time of the hearing.

### **Agreed Motions with Proposed Orders:**

Submit the motion and the unsigned proposed order as two separate lead documents. Upon acceptance in eFileTexas.gov, unsigned proposed orders will be sent to the court for review. Once the order has been signed, you may contact the District Clerk's office to purchase copies of the signed order. **Do not request a copy of the signed order through eFileTexas.gov.**

### **Signed Orders (on paper):**

If your intent is to present a proposed order before the court in person, **do not** submit the proposed, unsigned order through eFileTexas.gov. If and when the Judge signs that proposed order, **immediately bring the original signed order to the District Clerk's office** so that the order may be file stamped (conformed) and entered into the official court records.

### **Entering Parties:**

When e-filing an initial case - enter the full name and complete address of each case party on the "Parties" page. On the "Parties" page of eFileTexas.gov, **do not** enter only the initials of the party. Each party (including minor children) **must** be properly identified (using their full name) for the purpose of tracking parties in the court's database. As stated below, minor children names entered here are **not** shared in public records. All minor children party records are **only** accessible to official court personnel.

### **Party records of minor children are confidential:**

All party records of minor children are highly confidential, are secured for confidentiality by the court case management software system and are **not** shared in public records. Again, all minor children party records are **only** accessible to official court personnel.

### **Case Style using minor child's name:**

When creating the style of the case on your document, if confidentiality is an issue for a minor, it is permissible to use only the initials of the child. Example, styling your case to read: In the Interest of M.A.S., minor child, instead of In the Interest of Mary Ann Smith, minor child. But, the child's full name must still be entered into the "Parties" page in eFileTexas.gov. (see explanation above).

### **Attorneys are NOT parties in a case:**

In eFileTexas.gov, when creating an initial case DO NOT enter the attorney as a separate party on the e-FileTexas.gov "Parties" page. The attorney will be added to the case by the clerk after the e-file is accepted.

**Party Responsible for Fees:**

In eFileTexas.gov, the “Party Responsible for Fees” is always the attorney’s client, never the attorney or the opposing party.

**Changing/correcting party records in eFileTexas.gov:**

In e-filed subsequent filings, existing party information comes over from the court’s case management system and cannot be changed by the e-filer. If changes are needed (i.e.- new attorney, new address for one of the parties, etc.), submit a *cover letter* detailing the request. The clerk will then make the requested changes in the court’s case management system.

**Sealed Cases/Documents:**

Documents filed under seal or presented to the court *in camera* cannot be e-filed, as per TRCP 21(f)(4). These filings must be presented to the Clerk for filing in paper form.

**EFILING FEES: Statutory fees are added by the e-filer and are subject to rejection.****Charges to your credit card:**

When an e-file submission with fees is made, eFileTexas.gov immediately places a “hold” on the amount of funds needed for that transaction.

**Changes to fees:**

It is up to the e-filer to choose the correct fees that apply to a filing. If/when those fees are found by the clerk to be incorrect:

If the actual fee(s) is less: the clerk will correct the fees and accept the filing.

If the actual fee(s) is more: the clerk will return the filing for correction.

**\$2 electronic process fee:**

In addition to court costs, you will be charged an electronic process cost-recovery e-filing fee of \$2.00 per envelope by the Williamson County District Clerk’s office. Gov’t Code 72.031

**Convenience fees:**

Additional convenience fees (credit card processing fees) are charged through eFileTexas.gov. In addition, some EFSP’s charge fees for their services. For questions about those types of fees, please contact either eFileTexas.gov, or your own EFSP.

**Issuance fees (citations, notice, etc.):**

The District Clerk charges \$8 per issuance. In addition, copy fees for pleadings to be attached to your issuance shall be requested and paid for through eFileTexas.gov. Copies are \$1 for the first page and \$.25 for each page thereafter. Certified copies are \$1 per each page. **E-Service is not available at this time, but will be in the near future.**

**County Service Fees:**

Service by one of the Williamson County Constables may be requested through the e-filing process. *At the time of payment through eFileTexas.gov*, it is very important to select the correct Williamson County Constable (1,2,3 or 4) to do the service. The address of the party being served decides which Constable is to do the service. Look up the service address on this website - <http://gis.wilco.org/search>. **Do not** request out-of-county Constable service through eFileTexas.gov, you must make arrangements for any service required out of county.

**Cover Letter:**

When making a specific request, our office requires that you submit a *cover letter* through eFileTexas.gov (as a separate lead document) giving detailed instructions for your request.

**Request for issuance:**

In your *cover letter*, state the type of issuance requested, name and address of the person who is to receive the issuance and which of the previously filed pleadings the issuance is to be done on.

**Pick-up procedures for issuance (we do not e-mail issuance):**

Also in the *cover letter*, inform us if you are the one who will be taking care of having the issuance served. If so, you may either pick the issuance up in our office or you may mail in a Self-Addressed Stamped Envelope and we will send the prepared issuance to you by mail. If, instead, you plan to have one of the four Williamson County Constables serve the issuance through our office *or*, if you plan to have the issuance picked up at our office by a third party, *state that in the cover letter*.

**Service by a process server:**

Service by your choice of process server, including payment, is handled strictly between you (the party requesting the service) and the process server of your choice.

**Issuance requested at a later date:**

If you need to request issuance after your case or motion has previously been e-filed, you should e-file the request by cover letter (as described above) with instructions for the issuance and select the appropriate fees. Do not file the original pleading a second time.

**Returns of Service:**

Do not file duplicate returns of service. If a Process Server is making a return to the court, there is no need for the attorney to file a courtesy copy of the return with the court, doing so will create a duplicate filing.

**Uncontested Docket:**

Continue to follow the existing procedure set out by each court for their uncontested docket.

**Pulling Folders to take to court:**

For Family and Civil cases, there is no longer a paper file to pull before going to court, everything is done electronically.

**Allow 24 Hours for e-filed filings to be processed:**

Please allow 24 hours for your filing to be processed through eFileTexas.gov. The eFileTexas.gov system allows pleadings to be entered 24 hours a day, 7 days a week. However, the District Clerk's office continues to keep regular weekday business hours. If a pleading is filed after 4:00 p.m. on a weekday, it will not be processed until sometime after 8:00 a.m. the next morning, depending on whether the filing is acceptable as it was e-filed. If you e-file a pleading on the weekend, it will be reviewed sometime during the day on the next workday (holidays excluded). All filings presented (filed) through eFileTexas.gov will be reviewed in the order they are received.

**Confirmation that filings have been received:**

1. After you have completed e-filing your documents into eFileTexas.gov, *first* you will receive a confirmation e-mail from eFileTexas.gov stating that your filing has been received into the eFileTexas.gov system.
2. Once your filing has been **ACCEPTED** by the District Clerk's office from the eFileTexas.gov system, you will receive a *second* notification e-mail from E-fileTexas.gov stating: "The filing below was reviewed and has been accepted by the clerk's office." E-FileTexas.gov will also include a link for retrieving a file stamped copy of the document.

Note: If you are not receiving confirmation e-mails from E-File Texas.gov, please check your software program's e-mail settings to determine if these e-mails are being automatically rejected.