

FIRST AMENDED STANDING ORDER OF THE 151ST CIVIL DISTRICT COURT OF HARRIS COUNTY, TEXAS DESIGNATING CASES WHERE FILINGS ARE TO BE ELECTRONICALLY FILED AND ELECTRONICALLY SERVED AND SETTING FORTH CERTAIN REQUIREMENTS IN SUCH CASES

Upon the Court's own motion in accordance with the Local Rules of the Harris County Civil District Courts Concerning the Electronic Filing of Court Documents,

1. DESIGNATION OF TEXASONLINE E-FILE CASE

IT IS HEREBY ORDERED that as of Monday, April 27, 2009, all new lawsuits assigned to the 151st District Court of Harris County, Texas, shall be and are hereby designated TexasOnline E-file cases. It is the intent of the Court that this Order conform with the Harris County Local Rules of the District Courts Concerning the Electronic Filing of Court Documents while still mandating the electronic filing of documents in all cases (except as listed in section 4, below).

2. ELECTRONIC SERVICE

IT IS FURTHER ORDERED that, in TexasOnline E-File cases, each party will register with TexasOnline for receipt of electronic service and those copies of each filing will be electronically served on all parties in the case.

3. LIMITATION ON DISCOVERY FILINGS

IT IS FURTHER ORDERED that this Order does not alter Texas Rule of Civil Procedure 191.4 regarding the filing of discovery materials. Except by a separate, express written Order by this Court, neither the request nor responses shall be filed nor need to be filed.

4. NO PAPER FILINGS RECEIVED; EXCEPTIONS

IT IS FURTHER ORDERED that the District Clerk shall not receive any petitions (aside from the original filing in the case), applications, or pleadings, or other documents whatsoever in TexasOnline E-File cases in paper form, except for filings by pro se parties or parties expressly granted a waiver, by signed written order of the Court. If the District Clerk receives a paper filing in a TexasOnline E-File case, the Clerk is ORDERED to return the paper filing to the purported filer with a notification that the case is to be E-filed through TexasOnline and that no paper filings can be received, file-stamped, or scanned.

THE EXCEPTIONS to the types of documents that must be electronically filed are contained in Section 3.3 of the Harris County Local Rules of the District Courts Concerning the Electronic Filing of Documents, and include only: i) citations or writs bearing the seal of the court; ii) ~~returns of citation~~¹; iii) bonds; iv) subpoenas; v) proof of service of subpoenas; vi) documents to

¹ TRCP 107(g) was created by Order of the Texas Supreme Court, Misc. Docket N. 11-9250 on December 12, 2011, and took effect January 1, 2012. That new rule states that "The return [of citation] and any document to which it is attached must be filed with the court and may be filed electronically or by facsimile, if these methods of filing are

be presented to a court in camera, solely for the purpose of obtaining a ruling on the discoverability of such documents; vii) documents sealed pursuant to an express order under TEX. R. CIV. P. 76a (however the motion to seal the document(s) must be electronically filed); and viii) documents to which access is otherwise restricted by law or court order, including a document filed in a proceeding under Chapter 33, Family Code. It is ORDERED that these documents shall continue to be filed as paper filings.

5. NOTICE OF ORDER

IT IS FURTHER ORDERED that the District Clerk notify all parties in TexasOnline E-File cases, whether original defendants, cross defendants, or otherwise, advising of this Order and of the requirements of the Harris County Local Rules of the District Courts Concerning the Electronic Filing of Court Documents. Such notification may be included with citation issued to any party or, if no citation is to be issued, then sent by any method specified in Rule 21a, Texas Rules of Civil Procedure.

6. SHOW CAUSE OBJECTION

If any party objects to such filing requirements, that party shall file a written objection within 30 days of the date of inception of the action, or, if applicable, within 30 days of the date of their first appearance in the action, and set the matter for hearing before the 151st Civil District Court to show cause why the electronic filing requirement is unduly burdensome. Oral hearings should be set on the Court's Monday Law Day Docket by communicating with the Court's Clerk.

7. COURTESY COPIES OF DOCUMENTS

IT IS FURTHER ORDERED that the procedure for filing any courtesy copies of documents with the Court is as follows: Courtesy copies are NOT required. The Court will no longer receive paper courtesy copies. Rather, parties seeking to bring the Court's attention to a filing shall, at their option, send an e-mail **without attachments** to the Court's coordinator (call the Court for information) asking the coordinator to bring the electronic filing of the document to the attention of the Court. The Court may then review the document electronically in its discretion. The Court's previous practice of allowing parties to e-mail courtesy copies of documents is hereby discontinued as it quickly exceeded the Court's computer system's capacity.

8. PLAINTIFF RESPONSIBLE FOR NOTIFYING ALL PARTIES

The Plaintiff in the lawsuit shall ensure that all parties, whenever added to the lawsuit, are aware of the existence of this Order, and shall be capable of demonstrating evidence of such written notice to the Court. Notice may in writing, by delivering a copy of the Order to the parties, or by e-mail, directing the parties to this Court's website containing the Order.

Signed this _____ day of _____, 2012

available." Therefore, this Court hereby Orders that returns of citation are no longer required by this Court to be filed in paper form, but may be, instead, filed electronically or via the Harris County District Clerk's FREEfax system.

Honorable Mike Engelhart,
Judge Presiding