

## E-FILING FAQ

### Fayette County Court

- 1. When is electronic filing mandatory in Fayette County?** E-filing is mandatory January 1st, 2016 for Fayette County Court.
- 2. Does the filer have to use e-File.TxCourts.gov as their electronic filing service provider (EFSP)?** No. You may choose your own certified EFSP. An EFSP acts as the intermediary between you and the eFileTexas.gov system.
- 3. What type of cases can be e-filed?** Most Civil and Probate cases can be e-filed, unless they are restricted or sealed. Criminal Misdemeanor Cases nor Official Public Records will be filed at this time.
- 4. What is an e-File envelope?** An electronic filing envelope sends your document from eFileTexas.gov to the court system.
- 5. How many documents may be in an envelope? Do I have to use a new one each time?** You can have multiple lead documents and attachments in the same envelope, so long as they belong in the same case, during the same transaction. They must be searchable and bookmarked. Your documents will be returned for correction if you file something as an attachment that should be a lead document
- 6. Must a document be in PDF format?** Yes.
- 7. What is the maximum file size that can be electronically submitted?** For optimal manageability, the eFileTexas.gov recommends that files do not exceed 5MB per document and 25 MB per envelope.
- 8. What documents can be filed when filing a new case (Initial Filings)?** The types of documents are limited by the JCIT Technology Standards. Please refer to their guidelines at <http://www.txcourts.gov/rules-forms/rules-standards.aspx>.

**9. How will I know when something has been accepted or rejected?** Once a document is accepted or rejected you will get email notification with an explanation in the notes.

**10. Why was my filing rejected?** There are numerous reasons for a document to be returned for correction including: Incorrect jurisdiction, incomplete signature block- no bar#, signature, email address etc., documents submitted as attachments that need to be lead documents, incorrect or incomplete information, formatting, illegible or unreadable, contains sensitive data, insufficient fees/funds are a few examples.

**11. If a document has been returned for correction and there is a deadline to get it filed, will the deadline be waived?** NO...statutory deadlines cannot be waived.

**12. How can you tell what should be a lead document?** Any document that you want to have file stamped needs to be filed as a lead document. Orders should always be subsequent filings or attachments since they do not get filed until after they are signed.

**13. What documents can be filed as Subsequent Filings?** Any filing after the new case has been submitted and accepted is a subsequent filing. All Orders should be subsequent filings or attachments if being sent with another document.

**14. When do we use the attachment feature?** The attachment feature is mostly used for exhibits. You can attach a cover letter.

**15. How do I obtain copies or certified copies of documents?** You can request them through e-File by filing an attachment explaining what you want and choosing optional fees. Copies are \$1 per page to mail or \$2 per page to email. Certified copies are \$1 per page and \$5 certification fee and have to be mailed for the certification to be valid.

**16. Are e-filed documents considered to be the court's original copy?** Any electronically filed document is deemed the original upon acceptance.

**17. What about e-filing a Will?** You may e-file the will but the original needs to be delivered to our office within 3 days of e-filing. We will not prepare a posting

prior to receiving the original Will. If you are probating a copy because the original cannot be found then the e-filing will be sufficient.

**18. I need citations issued and served, what is the best procedure for this?**

Please provide a cover letter with your petition detailing your instructions for service. If you want service through certified mail, or by the Sheriff's Office you must include copy fees for the pleadings(s) to be attached to the issuing document, plus the cost of the service that can be found under additional fees.

**19. If a filing is returned for corrections will you be charged the credit card convenience fee?** You will need to check with your provider to determine how they handle this.

**20. How do I e-file an Occupational License?** The Petition is filed as an initial filing for a new case. You may include the Civil Case Information Sheet to the petition as an attachment. Once you receive notification the petition has been accepted, you may file the rest of your documents as subsequent filing documents. This includes your Occupational License Information Sheet, SR-22, Certified Abstract Record from DPS, Interlock contract if applicable, any additional documentation and the Order for Occupational License.

**21. What is the code to file a Judgment or other Order?** The filing code for all judgments or orders is "order" and you will be able to enter a more detailed description in the filing description field. Once we accept the filing, it will be presented to the Judge at the appropriate time. Just because we accept it does not mean that he will automatically sign it. If there are any problems with the document, the Judge will be in contact with you. Once it is signed you will be sent a confirmation by email. If you care for signed copies please pay for those additional copies through E-File.

**22. What if my documents contain sensitive data?** Please refer to Texas Rules of Civil Procedure Rule 21c for guidelines for privacy protection for filed documents. Do not designate documents as containing sensitive data when they do not.

**23. If a document is e-filed for a court hearing scheduled within 24 hours, will it be available in court for the hearing?** Every effort will be made to have e-filed documents accepted before the hearing date. If you do not receive the notification that your document has been accepted please contact our office.

**24. What is the cost?** Fees vary. For civil and probate filing fees please visit our website at [www.fayette.tx.us](http://www.fayette.tx.us) and go to County Clerk. For EFSP fees contact your service provider.

**25. Are indigent clients able to use e-file.texas.gov for free?** Yes, there is a waiver option that will waive all fees but there must be a supporting Affidavit and an Order of Indegency must already be on file in the case. If the waiver option is used and you are not qualified to use that option, your filing will be rejected. If you have trouble setting up a waiver account please call E-File Texas at 855-839-3453.

**26. What credit cards are accepted?** Mastercard, Visa and American Express

**27. May I still file documents in person or mail them?** Starting Jan. 1st, 2016, all attorneys filing civil or probate documents must utilize E-File. Pro-se litigants, who are not attorneys, may still mail or walk in their paperwork. We are also not able to accept fax filings.

**28. If I do not have an attorney do I still have access to e-File Texas?** Yes please go to [www.eFileTexas.gov](http://www.eFileTexas.gov) for more information on how to use e-File.

**29. Who do I call if I am having problems?** Please call 855-839-3453 for technical problems, formatting errors, etc.