

E-FILING FAQ
Comal County Court at Law

- 1. When is e-filing mandatory in Comal County?**
E-Filing is mandatory January 1st, 2015 according to Supreme Court Order Misc Docket No. 13-9092.
- 2. What type of cases can be E-Filed?**
Most Civil and Probate cases can be e-filed, unless they are restricted or sealed. Criminal Cases **cannot** be e-filed at this time.
- 3. What is an E-File Envelope?**
That is the electronic filing envelope which sends your document(s) from EFile.Texas.Gov to the court system.
- 4. How many documents can be in an envelope? Do I have to use a new envelope 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.
- 5. What documents can be filed when filing a new case (Initial Filings)?**
The types of documents to be filed at the initiation of a new case are severely limited by the JCIT Technology Standards. Please refer to their guidelines <http://www.txcourts.gov/rules-forms/rules-standards.aspx> .
- 6. 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.
- 7. How do I e-file an Occupational License Case?**
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, your SR22, Ignition Interlock contract if applicable, any additional documentation, and the

Order for Occupational License.

8. 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. All pleadings, notices, fiats and orders must be filed as lead documents. Civil Case Information Sheets can be filed as attachments to your original petition or application.

9. When do we use the attachment feature?

The attachment feature is mostly used for exhibits, Case Information Sheets, and Cover Letters. You can attach a cover letter. You cannot attach an Order, Fiat or Notice of Hearing.

10. How will I know if a Notice or Request for Setting or an Order has been accepted?

Please be aware that a document may be accepted for filing but not signed by the Coordinator or Judge. Once a document is accepted you will get email notification of the acceptance and can print out a file stamped copy of the document from your EFSP. Please check the comments section for information if the document was not signed or contact the Court Coordinator for information.

11. I am filing an Original Petition and 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. We provide E-Service back to the filer unless otherwise requested. You **MUST** provide an email address for us to send the issuing document back to you through E-Service. If you want service through certified mail you must include copy fees for the pleading(s) to be attached to the issuing document. If you want us to send it to the Sheriff's Office for service, you will also need to include copy fees for the pleading(s) to be attached to the issuing documents.

We will only send e-service back to the filer. It is your responsibility to obtain service per TRCP 99 a. including forwarding citations on to your private process server.

12. I want to file a judgment or other order but I can't find the right filing code and how does it get submitted to the judge and I get my conformed copy back?

The filing code for all judgments and orders is Proposed Order, then enter a more detailed description in the filing description field. All Orders

should be submitted as Subsequent Filings. When the clerk receives your proposed Order it will be sent to the Judge's Coordinator and she will send it onto the Judge for signature. Once he reviews it, he will send it back to the clerk. The clerk will then accept it and you will get a copy through your EFSP. Please Note that acceptance in e-filing of the Order does not mean it has been signed or granted.

13. Why was my filing rejected?

There are numerous reasons for a document to be returned for correction including:

- a) Incorrect Jurisdiction
- b) Incomplete signature block – no bar #, signature, email address etc.
- c) Documents are submitted as attachments and need to be lead documents
- d) Incorrect or Incomplete information submitted
- e) Incorrect Formatting
- f) Illegible or unreadable
- g) Contains Sensitive Data - any sensitive data must be redacted unless otherwise provided for by law or court order.
- h) Insufficient Fees/Funds.
- i) other – contact Probate or Civil Departments for details.

Documents are rejected for the following reasons:

- a) Filer has been found to be a Vexatious Litigant
- b) Sealed Documents

14. What if my documents contain sensitive data?

Please refer to TRCP Rule 21c for guidelines for privacy protection for filed documents. Do not designate documents as containing sensitive data when they do not.

15. If I e-file a document for a court hearing scheduled within 24 hours will it be available in court for the hearing?

Every effort is made to have e-filed documents accepted before the hearing date & time; however some documents have to go through multiple queues before they can be accepted. If you do not receive notification that your document has been accepted contact either the County Clerk's Court office or the Court Coordinator for a status update. If you are e-filing a proposed order you may want to bring a paper copy for the Judge's convenience.

- 16. Are indigent clients able to use e-File.Texas.gov for free?**
Yes, there is a waiver option that will waive fees. There must be a supporting Affidavit and an Order of Indigency 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 eFileTexas.gov 855-839-3453.
- 17. What credit cards do you accept for e-filing?**
We accept MasterCard and Visa.
- 18. May I still file documents in person or send them through the mail or fax documents for filing?**
Starting January 1st, 2015 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 do not accept fax filings.
- 19. If I do not have an attorney do I still have access to eFileTexas.gov?**
Yes, please go to www.eFileTexas.gov for more information on how to use e-file if you are not an attorney.
- 20. Do the attorneys have to use eFileTexas.gov as their electronic filing service provider (EFSP)?**
No; you may choose your own certified EFSP.
- 21. Does a document need to be put in a PDF format?**
Yes.
- 22. How do I obtain certified copies of documents?**
You can e-file your request and include the copy and certification fee through optional services field in e-file and we will mail back the certified copies to the address you provide.
- 23. If a document has been returned for correction and I have a deadline to get it filed, will the deadline be waived?**
Statutory deadlines cannot be waived.
- 24. If a filing is returned for corrections will the filer still be charged the credit card convenience fee?**
Please contact your EFSP to determine how they handle that.
- 25. Are e-filed documents considered to be the court's original copy?**
Any electronically filed document is deemed the original upon

acceptance; with the exception of a Will/Codicil and a Bond. These documents must also be mailed or delivered to the clerk's office.

26. Do attorneys e-file the Will for Probate?

Yes. However the ORIGINAL Will needs to be mailed or delivered to our office within 3 business days. It must be received before the Application to Probate will be posted.

27. Can I e-file a Bond?

Yes. However, the ORIGINAL Bond must be mailed or delivered to our office within 5 business days.

28. I want to file something into a case that is already on file but I cannot locate the file in eFileTexas.gov, what do I do?

Here is the link to the eFileTexas.gov user guide it has instructions on how to search cases and many other things.

http://content.tylerhost.net/docs/eFileTexas/help/eFile.TXCourts.gov_User%20Guide.pdf

29. 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 25MB per envelope.

30. I am receiving format errors, how do I correct that?

Contact eFileTexas.gov at 855-839-3453

31. Who do I call if I'm having problems in eFileTexas.gov?

- a) for technical problems 855-839-3453
- b) for Probate Questions 830-221-1240 Ext 3
- c) for Civil Questions 830-221-1240 Ext 2

32. How much does it cost to e-file?

Fees vary. For civil and probate filing fees please visit the website at http://www.co.comal.tx.us/CCLaw/Court_Fees.htm . For eFileTexas.gov refer to www.eFileTexas.gov and for EFSP fees contact your service provider.