

Comal County
County Court At Law
Civil and Probate
E-Filing Requirements

The Texas Supreme Court has mandated that all civil and probate cases must be filed electronically (e-filed). In Comal County, the mandated date is January 1st, 2015. Comal County has been accepting e-filing since September 2009. The County Clerk has established requirements to support the e-filing process that coincide with the Supreme Court Rules. (Misc. Docket No. 13-9092, 13-9128 and 14-9079)

Document Requirements

An electronically filed document must be text-searchable portable document format (PDF); be directly converted to PDF rather than scanned (if possible), not be locked; and otherwise comply with the Technology Standards promulgated by the Judicial Committee on information Technology and approved by the Supreme Court. (Misc. Docket No. 13-9172 and 14-9079)

1. Document must contain filer's complete contact information in the signature block including name, (bar # if applicable) address, phone number **and email address.** (TRCP 21 (f)(2))
2. Paper must be with a page size of 8.5 x 11; font size must be no smaller than 14 point; content must be appropriately rotated.
3. Documents must contain complete page numbering for the entire filing.
4. Documents may not contain any security or feature restrictions including password protection or encryption and may not contain embedded multi-media video, audio or programming.
5. Documents must not contain any malware or viruses. The e-filing of a document constitutes certification by e-filer that the document has been checked and is clear of any malware or viruses.
6. Bookmarks must be used to separate content appropriately. For example, exhibits to pleadings are included in a single PDF but they must be bookmarked by exhibit.
7. A Cover Letter and Civil Case Information Sheet must accompany **each** e-file envelope for a new case and must contain instructions for citations and service. If there is not a filing code for them please send them as attachments to the petition.
8. Any document you want to have file stamped must be filed as a separate lead document and not as an attachment to the original document. Multiple documents for the same case may be filed in the same e-filing envelope, but as separate lead documents. Please refer to <http://www.efiletexas.gov/filers/filer-upcoming-training.htm> or <http://www.efiletexas.gov/filers/filer-training-videos.htm> for more information.

9. Pleadings cannot be combined. Each pleading must be filed separately, for example you cannot file a Petition with an Application, they must be separate lead documents.
10. Any Notice of Hearing must be filed separately and must contain the name of the pleading it is associated with; for example, Notice of Hearing on Summary Judgment (do not put the hearing at the bottom of the Motion for Summary Judgment).
11. Orders must be filed as separate documents and not added as the last page of a Motion. It must also reference the pleading it is associated with. Please use the filing code "Proposed Order". Please try to submit the Order within a few days of any hearing you have scheduled, so that it is readily accessible for the judge. You may wish to bring a copy of the proposed order with you at the time of hearing for convenience.
- 12. Each pleading must have an email address TRCP 21 (f)(2) and a signature. (TRCP 21 (f)(2)).**
13. Information entered in the EFILE.TEXAS.GOV portal's text boxes is imported into the case management database; therefore please be as detailed and accurate as possible. For example, if you misspell a name or enter the defendant's address incorrectly that is the way it will be imported into the case management database and can adversely affect service or notices.
14. When entering the names of the parties in the text boxes within EFILE.TEXAS.GOV please use proper case format. If you are entering a Business please select "Business" when entering party information.
15. If you cannot find the filing code you are looking for please select the code that most closely fits your document and use the "Filing Description" field within EFILE.TEXAS.GOV for more detailed information on the type of document you are filing.
16. If your document requires a fee and you select a filing code that does not require a fee your document will be returned for correction. For example, if you are filing a "Motion to Transfer Venue" which has a fee associated with it, but select the filing code "Motion (NO Fee)" instead which does not have a fee associated with it, your document will be returned so you can submit it with the appropriate fee. If you can't find the filing code for the Motion and you know it has a fee associated with it select "Filing Action Other than Original".
17. If your document has a fee associated with it but it is not listed as one of the filing codes, please submit with the filing code most closely fitting that document or submit as a No Fee document and look in **optional services** for the fees to attach to it.
- 18. Occupational Licenses:**
 - a) Submit the Petition/Application as a new filing. Include the Civil Case Information Sheet as an attachment.

- b) After the Petition has been accepted and the fees processed, you will receive e-file notification from your provider that the e-file has been accepted and given the new cause number.
- c) Submit the following documents as separate lead documents under subsequent filing: SR22, Occupational License Information Sheet, and Ignition Interlock Contract (if applicable) Order for Occupational License and any additional documents needed. If there is not a filing code for these documents, select "No Fee Document".
- d) Once we receive the Order it will be forwarded to the Judge's Coordinator for processing. When we receive the signed copy back from the Judge we will notify you and you can make arrangements to pick up your certified copies.

19. Reasons for Rejection

- a) Sealed Documents
- b) Vexatious Litigant

20. Reasons for Returns_ - To ensure your documents are accepted when submitted through the e-file portal, we recommend you review this list for reasons for Returns for Correction.

- a) Incomplete Filer Contact Information (including email address or signature)
- b) Incorrect or insufficient fees or credit card declined.
- c) Incorrect / incomplete information – including not filling out party addresses or entering the wrong cause number.
- d) Incorrect Jurisdiction
- e) Format Error
- f) Pleadings sent as attachments instead of separate lead documents, or exhibits not bookmarked.
- g) Illegible / Unreadable or Missing Items
- h) Sensitive Data - redact sensitive data and resubmit
- i) E-filer Request
- j) Other – with explanation

*For the latest Technology Standards on E-filing issued by JCIT please refer to:

<http://www.txcourts.gov/rules-forms/rules-standards.aspx> - Technology Standards

*For information and training on how to use EFILE.TEXAS.GOV go to

www.eFileTexas.gov.

*For information on EFILE.TEXAS.GOV requirements please go to

<http://www.efiletexas.gov/faqs.htm>

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