



DALLAS COUNTY DISTRICT CLERK NEW STATEWIDE RULES FOR E-FILING

The e-filing mandate issued by the Supreme Court went into effect on January 1, 2014. In an effort to prepare for the mandate, the Dallas County District Clerk's Office went live with TexFile on November 13, 2013. TexFile has since been rebranded. Their new name is eFileTexas.Gov. Listed below are highlights of the new rules and standards for electronic filing in Texas.

Please refer to the Texas Rules of Civil Procedure, Rule 21(f) and version 1.2 of the Technology Standards released by the Judicial Committee on Information Technology (JCIT).

TRCP Rule 21(f) (8) Format

An electronically filed document must:

- (A) be in text-searchable portable document format (PDF);
- (B) be directly converted to PDF rather than scanned, if possible;
- (C) not be locked; and
- (D) otherwise comply with the Technology Standards set by the Judicial Committee on Information Technology and approved by the Supreme Court.

TRCP Rule 21c. Privacy Protection for Filed Documents

Pursuant to Rule 21c of the Texas Rules of Civil Procedure, documents containing sensitive data must be redacted by the filer prior to submission. If the inclusion of the sensitive data is required, the filer must give notice to the clerk by:

- (1) Designating the document as containing sensitive data when the document is electronically filed; or
- (2) If the document is not electronically filed, by including on the upper left-hand side of the first page, the phrase: "NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA."

While TRCP Rule 21c (1) does not require the phrase: “NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA” on the upper left-hand corner of the first page for documents that are electronically filed, it is preferred. Doing so will add an extra layer of precaution for the clerk processing said documents.

JCIT Technology Standards, v1.2 – Section 3.1

- A. An e-filed document must be in text-searchable PDF, using fonts specified in the PDF specification, on 8.5 x 11 page size, with the content appropriately rotated.
- B. When possible, the document should be generated directly from the originating software using a PDF distiller.

Most word processing software packages now “print” to PDF; older versions may not have that capability. Scanning your completed pleadings should be avoided when possible because it creates larger file sizes with text images of lesser quality.

- C. Prior to being filed electronically, a scanned document must have a resolution of 300 DPI. Preferably, scanned documents should be made searchable using OCR technology.

A scanned document must be made text searchable using optical character recognition software (OCR), which you may have to purchase. Some scanners and scanning software may have that capability. All scanned documents must have a text resolution of 300 dots per inch (dpi) for black and white documents. Any documents filed with color images must have a minimum resolution of 600 dpi.

- D. An e-filed document may not contain any security or feature restrictions including password protection or encryption and may not contain embedded multi-media video, audio, or programming.
- E. Documents may not contain package PDFs. PDFs should not be embedded inside of another PDF. **Each document must be a single PDF.** An appellate court may require that multiple PDF documents be combined into a single PDF document and bookmarks used to separate content appropriately. The content of the document should not depend on bookmarks.

For example: Original petitions for divorce require that a copy of the Family Courts Standing Order be attached to the petition. When e-filing, the petition and standing order should be attached as one PDF. The standing order should not be an “attachment” to the PDF when e-filing in the portal.

While JCIT standards no longer requires the combining of multiple documents pertaining to a single filing into a single PDF with bookmarks separating content, for the efficiency of court processes and the judiciary, it is preferred.

When combining documents, multiple documents pertaining to a single filing should be combined into a single PDF with bookmarks separating the content, unless the resulting document exceeds the EFM's size limit for documents of 35 megabytes. For example, the lead document and attachments should be combined into one PDF; and/or pleadings with exhibits should be combined into one PDF. The contents of the one PDF document that includes exhibits or appendices should contain bookmarks to each exhibit or appendix item. The bookmarks should be clearly labeled so as to identify the exhibit or appendix item. Whenever possible, scanning of exhibits should be avoided.

If the file size exceeds the 35 megabyte limit, the document will have to be split. When splitting the document, the remaining split documents should be attached to the lead document as an attachment.

Document should contain page numbering for the entire filing. When including one or more appendices to a filing, each should be numbered individually and then the entire document should be numbered as a whole.

- F. Any e-filed document filename should contain only alphanumeric characters that are part of the Latin1_General character set. No special characters are allowed and the length of the filename should be restricted to 50 characters.

NOTE FROM THE DISTRICT CLERK

In order to get the most out of e-filing, filers are encouraged to upgrade their existing word processing and document management software in order to facilitate compliance with the new requirements and standards conveniently and easily. Filers may also consider purchasing software products specifically designed to manage PDF files. Filers who become comfortable using more advanced document processing features will be able to avoid additional transaction fees by filing directly through the eFileTexas.Gov portal. Filers who are uncomfortable with using more robust word processing and document preparation functionality are encouraged to "shop around" for an e-filing Service Provider which offers document management and preparation services.

CASE MANAGEMENT SYSTEM REQUIREMENTS

Pleadings filed with the District Clerk's Office must be submitted to the clerk via the e-filing portal either directly through the eFileTexas.Gov web access or through your e-filing service provider. The pleadings are then imported directly into the clerk's electronic case management system. In order to make this process as efficient as possible and reduce processing time and user error, the following requirements and guidelines have been implemented:

- **All information entered into the eFileTexas.gov portal must be completed in all caps!**
Please do not use lower or mixed case letters.

- All parties to the case must be added with complete address information. Parties do not need to be added each time a pleading is filed unless it is a new party being added to the case.
- Documents may not contain multiple filings in the same document. Each filing must be filed separately; for example:
 1. The filing of a motion with the order at the bottom of the motion. You must file a motion as one lead document and a proposed order as a separate lead document. The proposed order should contain a cover letter and/or transmittal sheet as the lead document with the proposed order as an attachment.
 2. The filing of an answer and counterclaim. You must file the answer as one lead document and the counterclaim as a separate lead document.
 3. A fiat should be filed as a separate Notice of Hearing and should not be part of the pleading, but should contain the name of the pleading associated to it. For example, Notice of Hearing on Motion for Continuance. The separate notice of hearing should contain a cover letter and/or transmittal sheet as the lead document with the notice of hearing as an attachment.
 4. A case cover sheet should be filed as a separate document from the lead document and not as an attachment to the lead document.

REASONS FOR REJECTION

If the District Clerk’s Office “rejects” a filing, you will be notified in the form of one of the following pre-determined reasons. Please take a moment to review the list below and ensure you and your staff are familiar with them to avoid future inconvenience. Most are not new and self-evident, but others represent new standards:

Document May Not Be E-filed
 Documents Must be Separated
 Duplicate filing
 Incomplete Filer Contact Information
 Incorrect Case Number
 Incorrect Case Type
 Incorrect Document Format
 Incorrect Filing Code
 Incorrect Jurisdiction
 Incorrect Lead Document
 Incorrect or Missing Fees
 Incorrect Party Names
 Missing Cover Sheet
 Missing Items

Party/Party Addresses Not Provided
Poor Quality Document
Rejected/Other:
Rejection Requested by Attorney
Selected Discovery May Not be E-Filed
Separate Submissions Required
Service Address Not Provided

“Rejected/Other” is a free-form field that the clerk will use to reject a filing for an unusual instance.

As we continue with this transformation, we would greatly appreciate your feedback on how the system can be improved to ensure it is as convenient for you and your staff as possible. That’s the whole purpose of electronic filing. Please let us know if you have any questions or comments about these requirements now and in the months ahead. There may be some rough patches to come as we roll out the eFiling mandate and the new eFileTexas.Gov service, but we are confident that within a short period of time you will be very happy with the new system.

Please submit your questions or comments to:

GENERAL QUESTIONS:

Dallas County District Clerk’s Office
Phone: 214/653-7149
TexFileDistrictClerk@dallascounty.org

Gary Fitzsimmons, District Clerk
Phone: 214-653-7301 gfitzsimmons@dallascounty.org

Virginia Etherly, Chief Deputy District Clerk
Phone: 214-653-7196 Virginia.Etherly@dallascounty.org

Civil, Family, Family Juvenile and Court Clerk contact information may be found at:

<http://www.dallascounty.org/department/districtclerk/civil-courtclerkcontact.html>