

P-3

**STANDING ORDER OF THE
129TH DISTRICT COURT REGARDING
ELECTRONIC FILING**

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

1. DESIGNATION OF E-FILE CASES

IT IS HEREBY ORDERED that as of **Monday, March 1, 2010**, all cases in the 129th District Court, shall be, and hereby are, designated electronic filing ("e-file") cases.¹ It is the intent of this Court that this Order shall 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 otherwise designated in Section 3 of this Order.

2. LIMITATION ON DISCOVERY FILINGS

IT IS FURTHER ORDERED that this Order does not alter Texas Rules of Civil Procedure 191.4 regarding the filing of discovery materials. Except per separate, express written Order by this Court, neither the requests nor responses shall be filed. Certificates of written discovery shall continue to be filed electronically in accordance with this Order.

3. NO PAPER FILINGS RECEIVED; EXCEPTIONS

IT IS FURTHER ORDERED that the District Clerk shall not accept any petitions, applications, pleadings, or other documents whatsoever in e-file cases in paper form, except for filings by *pro se* parties or parties expressly granted a waiver, by signed written order of this Court. If the District Clerk receives a paper filing in an e-file case, the District Clerk is ORDERED to return the paper filing to the purported filer with a notification that the case is to be e-filed and that no paper filings may be accepted, filed-stamped, or scanned.

¹ At the current time, the only method to e-file is via Texas On-Line vendor; however, in the future, if other methods of e-filing become available, the Parties are free to use any method available. Further, the Court is not mandating service under Rule 21a by the e-file process. *Tex. R. Civ. P. 21 a*. Although service via the e-file process is highly recommended, service can be accomplished in accordance with Rule 21a. *Id.*

RECEIVED & POSTED

District Clerk

FEB 17 2010

Harris County, Texas

By  Deputy

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 Court Documents, and include only: i) citations or writs bearing the seal of the court; ii) returns of citations; iii) bonds; iv) subpoenas; v) proofs of service of subpoenas; vi) documents to 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 Rule 76a of the Texas Rules of Civil Procedure;² and viii) documents to which access is otherwise restricted by law or court order, including a document filed in a proceeding under Chapter 33 of the Family Code. *Tex. Fam. Code Ann.* §33.001, *et seq.* (Vernon 2009). It is ORDERED that these documents shall continue to be filed as paper filings.

4. NOTICE OF ORDER

IT IS FURTHER ORDERED that the District Clerk shall notify all parties in e-file cases, whether original defendants, cross defendants, or otherwise, 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. *Tex. R. Civ. P.* 21a.

5. SHOW CAUSE OBJECTION

If any party objects to the e-filing requirements, the objecting 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 the objecting party's first appearance in the action. The objecting party must set the matter for hearing before the 129th District Court to show cause why the electronic filing requirement is unduly burdensome or objectionable. Oral hearings should be set on the Court's Law Day Docket by communicating with the Court's Clerk.

² The motion to seal must be e-filed.

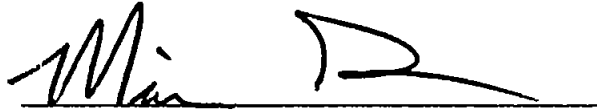
6. COURTESY COPIES OF DOCUMENTS

IT IS FURTHER ORDERED that the procedure for filing any courtesy copies of documents with the Court is as follows: anything e-filed that is over 30 pages, inclusive of exhibits, must be provided to the Court in the form of a courtesy copy. The courtesy copy must be delivered in paper form directly with the Court's Clerk.

7. PLAINTIFF RESPONSIBLE FOR NOTIFYING ALL PARTIES

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

Signed the 17th day of February, 2010.



Honorable Michael Gomez,
Judge, 129th District Court