



District Clerk Newsletter

Thomas A. Wilder, District Clerk



DISTRICT CLERK CORNER

Dear Legal Professionals:

As we notified you in our April newsletter, e-Filing for criminal cases in the trial courts was imminent. The Court of Criminal Appeals has now signed the order (<http://www.txcourts.gov/media/1403644/16-003-order-mandating-statewide-electronic-filing-in-criminal-cases.pdf>) and we have until **July 1, 2017** to implement the new system.

The questions we raised in our April newsletter have not yet been answered as the criminal e-Filing rules and technical issues are still being reviewed.

I have contacted the County IT leadership as well as the Commissioners Court to begin this review to see if we can make this work with our 25 year old criminal system since the CCA ignored our county as well as the Council of Urban Counties appeal to wait until our new court case management system is finished. We have been given every assurance that this matter will be a priority to ensure compliance if possible. Since the Criminal technical structure is different than the Civil/Family application, we won't know for a while if we can meet that date. If not, we will have to ask for an extension as allowed in the CCA order.

Some good news – The \$2 e-Filing transaction fee may end on October 1, 2016 depending on final calculations being done by the County Auditor and approval of Commissioners

Court. Please watch for news about this on our web page <http://access.tarrantcounty.com/en/district-clerk.html>.

P.S. Check back for issues of newsletter at this website <http://access.tarrantcounty.com/en/district-clerk/about-us/newsletter.html>.

Best Regards,

District Clerk



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Attention e-Filers:

E-File Texas has added Proposed Order as a filing code for Initial/New Case filings.

In addition, they have created a new filing code for the Austin Form. Optional Services filing code Issue VS-165 (information for SAPCR)

Optional Services

Issue Precept/Notice (\$8.00)
Issue Protective Order (\$8.00)
Issue Show Cause (\$8.00)
Issue Subpoena (\$8.00)
Issue Temporary Restraining Order (\$8.00)
Issue VS-165 (information for SAPCR) (\$0.00)

**Service Request Form**

Cynthia Cotman

322nd Lead Clerk

Please take note of the updated Service Request form. It now contains a place for you to include the title and filing date of the pleading you want served. This will be helpful in preventing the wrong pleading being issued. If you are using a cover letter in place of the Service Request form, please be sure to include that information within your letter. If all required information is not provided, your request will be returned for correction. DC Clerks thank you for your cooperation!

E-Filing is coming July 1, 2017 to the District Clerk Criminal section



On June 30, 2016 the Court of Criminal Appeals entered an Order Mandating Statewide Electronic Filing in Criminal Cases. Electronic filing will be mandatory in criminal cases in district courts with a population of 500,000 or more beginning July 1, 2017. The Court of Criminal Appeals will adopt rules governing electronic filing and provide or approve an electronic filing portal for attorneys to use in the filing of criminal documents. Please click on the link below to read the three page order from the Court of Criminal Appeals.

<http://www.txcourts.gov/media/1403644/16-003-order-mandating-statewide-electronic-filing-in-criminal-cases.pdf>

What's Coming on September 1st?

Jeff Fisher

Civil Tax Lead Clerk

During the 84th regular session of the Texas Legislature, lawmakers passed SB 1369 which made significant changes to the reporting requirements for the appointment and approval of payment for persons appointed by a court.

Beginning September 1, 2016, the Tarrant County District Clerk will be required to report virtually all appointments at the time of the appointment and a second time at the time the order approving payment is signed per Section 36 of the Gov. Code. Both the initial appointment and the amount paid must be reported to the Office of Court Administration by the 15th of the month for all activity that took place during the previous month. Additionally, the names of all appointments and the amount of the compensation must be posted at the courthouse and on the courts web page.

In the past, under Supreme Court of Texas misc. docket No.07-9188, only those cases in which a fee of \$500 or more has been approved during the month had to be reported. The new section requires the reporting of all appointments and orders approving payment by the court; not just those of \$500 or greater.

SB 1369 (Chapter 36, Gov. Code) does not replace the above mentioned 2007 Supreme Court misc. docket order; it is in addition to the current rules. However, in addition to the old requirements the new provisions require the reporting of all appointments; all payments, no minimum and; provides a potential penalty for not reporting.

Moving forward, two orders will be required: 1) an order of appointment for the appointee and; 2) an order from the court approving the payment of the appointee.

The order approving payment of said requested fees must contain:

- ◆ the name of the person appointed;
- ◆ the position appointee to,
- ◆ cause number and style of the case;
- ◆ the total amount of compensation ordered to be paid (**NOTE:** Per Section 36.004(a)(6) if the total amount of compensation paid to a person appointed for one appointed case that exceeds \$1,000; the number of hours billed (including staff for the appointee) and the billed expenses must also be reported) and;
- ◆ the source of the compensation (where the money is coming from).

In order for the clerk of the court to comply with the new reporting provisions listed above, it will be the responsibility of the appointee to ensure the proposed order contains all the information needing to be reported. Otherwise, the clerk will have no way of providing the information required by the newly created Chapter 36 of the Gov. Code.

If a court fails to report the information required under Section 36.004, the court will be ineligible for any grant money awarded by the state or state agency for the following biennium.

CIVIL Employee Spotlight



Willie Ybarra began his employment with the District Clerk's office in March of 1996. He began his tenure by working in the Records Department. From there he has worked in all areas of the District Clerk's office including: Delinquent Tax, Civil Section, Passports, Criminal Section, Family Section, and Juvenile Section. He became a Court supervisor in 2005 and was promoted to an Assistant Manager in 2011.

In Willie's spare time he enjoys playing golf and refurbishing furniture. He has two daughters, one which will be a Junior at Texas State in San Marcos in the new school year and one which graduated high school this year and will be attending the American Musical and Dramatic Academy in Los Angeles this fall. He is very proud of his daughters' accomplishments thus far and looks forward to much success in their futures.

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E-File Processing

All e-filing is processed in the order it is received. The District Clerk's office works diligently to process everything received within the same day, however, filings received late in the day may not be processed until the following business day depending on the volume of e-filing received.

It is not necessary to contact our office requesting your e-filing be moved ahead of others, this will only delay the process and we will not be able to accommodate the request. There are a few extenuating circumstances such as Protective Order, Writs of Attachment, Habeas, TRO's, etc., in which it may be necessary to do so.

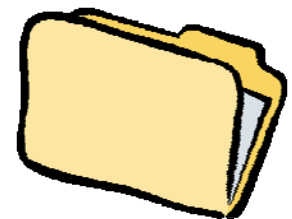
Closed Family Files

Paula Ford

Assistant Manager, Records

Family files are the only files which can be checked out, but only by an attorney. They may be checked out from the Closed Records Section located in the Family Law Center, 3rd Floor. Please bring your Bar Card or a valid Driver's License if you are wishing to check out a Family File. Once you are finished with the file, please return the file to the Court Clerk of the Court.

Parties with proper identification may view a closed Family file in the Closed Records area. There are also computers available to view files that have been digitized.



Sealed files are confidential and may not be viewed without a court order to unseal the file.

Please contact the Court coordinator of the respective court for information regarding that court's procedures for requesting an order to unseal a file.



Criminal Spotlight Felony Judicial Compliance

The Felony Judicial Compliance section is responsible for the collection of court costs, fees and fines imposed in felony criminal cases. The Office of Court Administration imposed Senate Bill 1863 (SB1863), which was titled “Collections Improvement Program” or “CIP”. This bill required cities with a population of 100,000 or more, and counties with a population of 50,000 or more, to implement a mandatory collection improvement program. The collection improvement program for the District Clerk went into effect in April 2007, thus creating our Judicial Compliance section. When a defendant is placed on probation by the court, they are given a notice of court cost in addition to a bill of cost and instructed to proceed to the 3rd floor Criminal Section to satisfy their financial obligation. Once on the 3rd floor they are interviewed by a Judicial Compliance Officer and placed on a payment plan, for a

term determined by the court. Our department utilizes various reminders such as mail-out notices along with automated phone calls that are in place to reduce delinquency. Fees may be paid in person by cash, money order, or credit card; they may also be made online or via automated phone payment service. Our current Judicial Compliance staff consists of:

Justin Davis, Collections & Technical Criminal Administrator: 817-884-2513

Spencer Johnson, Criminal Accounting Collections: 817-884-2308

Bryan Gardner, Judicial Compliance Officer: 817-884-2516

Branden Noble, Judicial Compliance Officer: 817-884-2515

Ilse Reyes, Judicial Compliance Officer: 817-884-2518

85th Legislation



The District Clerks office is beginning their Legislative Committee meetings as we approach the next session. Our 1st meeting was held June 16th inviting any new members.

The committee has

started listening to public testimony in the Interim hearings as we prepare for the 85th Legislative session.



Sept. 5, 2016 Labor Day
Nov. 24-25, 2016 Thanksgiving
Dec. 23-26, 2016 Christmas

Citation by Publication

When filing a Motion for Citation by Publication, please include the Synopsis (as well as the payment) so there will not be a delay when the order is signed. This will save time and streamline the process.





Tim Curry Criminal Justice Center
401 W Belknap Street
Fort Worth, TX 76196



Family Law Center
200 E Weatherford Street
Fort Worth, TX 76196



Tom Vandergriff Civil Courts Building
100 N Calhoun Street
Fort Worth, TX 76196



**E-filing
Questions?**



Call for assistance:

Family: 817-212-6954

Civil: 817-212-6953

Criminal: 817-884-1342

Felony/Civil: 817-884-2508

Felony/Civil

The Felony/Civil section of the District Clerk’s office handles Expunctions, Non-Disclosures, Occupational Driver’s License, Seizures, and Bond Forfeiture cases.

It is located on the 3rd floor of the Tim Curry Justice Center. The Felony/Civil section began accepting electronically filed documents for Expunctions, Non-Disclosures, Felony Occupational Drivers Licenses and Seizure cases only on July 7, 2014.

For filing fee information please refer to the District Clerk website for the most current fees.

[Felony/Civil Fees](#)

Our business hours are Monday – Friday 8am – 5pm. During these hours you can reach the Felony/Civil clerks for assistance.

Michelle Farrell – Lead Felony/Civil Clerk

Lead Clerk – 817-884-2508

Luz Rodriguez – Auxiliary

Lead Auxiliary Clerk – 817-884-2514

Amy Bond – Expunctions

Associate Clerk – 817-884-1231

Melissa Summers – Seizures

Associate Clerk – 817-884-1156



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