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Civil E-filing Business Practice Frequently Asked Questions

The below FAQs are based on the state's provided Electronic Filing Service Provider (EFSP). If you are filing through an EFSP other than eFile.TXCourts.gov, please visit <https://efiletexas.gov/>, for instructions/FAQs.

Please Note: If you already have a waiver account established for Criminal, this account can also be used for Civil E-Filings. If not, the filer must create one.

Do I have to e-file?

A:

Yes, pursuant to the Supreme Court Order dated December 11, 2012 - directed to attorneys. Electronic filing Requirements TRCP Rule 21 (f)(1) and Exceptions TRCP Rule 21 (f)(4) are listed in the [Supreme Court Rules](#).

Do I have to use an Electronic Filing Service Provider (EFSP)?

A:

Yes, there is a list of EFSP's that provide e-filing services as certified by the Office of Court Administration (OCA) for filers at <http://www.efiletexas.gov/>.

What if I am filing a case with an Affidavit of Indigency? How are the fees handled?

A:

You will choose the payment selection as provided by your EFSP for exempt filing fees (ex. Waiver). If a completed Affidavit of Indigency is not included, the filing will be returned for correction.

How do I set up a waiver account?

A:

Steps will vary based on EFSP used. Example below is based on the State's provided EFSP <https://www.efiletexas.gov/>.

The screenshot shows the EFILE TXCOURTS.gov Filer Dashboard. At the top, there are navigation links for re:SearchTX, Contact Us, GoToAssist, Chat, and Show Me How To... The main dashboard area is divided into 'My Filing Activity' and 'New Filing' sections. The 'My Filing Activity' section lists 'Pending', 'Accepted', 'Returned', 'Drafts', and 'Served'. The 'New Filing' section has buttons for 'Start a New Case' and 'File into Existing Case'. A red circle highlights the 'Actions' menu in the top right corner, which includes options like 'Dashboard', 'Start a New Case', 'File into Existing Case', 'Filing History', 'Templates', 'Service Contacts', 'Bookmarks', 'Reports', 'Contact Information', 'Payment Accounts', and 'Help'. Another red circle highlights the 'Add Payment Account' button in the 'Payment Accounts' section. Below this, there is a table with columns 'Payment Account Name', 'Payment Account Type', and 'Active'. The table contains two rows: 'AMEX' (Credit Card, No) and 'Waiver' (Waiver, Yes). A third red circle highlights the 'Payment Account Name' and 'Payment Account Type' input fields in the form below the table. The 'Payment Account Name' field contains 'Waiver' and the 'Payment Account Type' dropdown is set to 'Waiver'. At the bottom of the form are 'Undo' and 'Save Changes' buttons.

What if I am not sure if my document requires a filing fee?

A:

View a list of [filing fees](#) online or you may contact our office at 281-341-8665 for assistance. Pursuant to Local Gov. Code 118.053, filing fees shall be collected at the time the suit or action is filed. Therefore, if a document is submitted without the proper filing fee, the document will be returned for correction.

There is not a filing code which fits my document title exactly. What filing code do I choose?

A:

Choose the code that is closest to the title of your document. The clerk will modify your selection to reflect the proper entry into the case management system if necessary.

How is a pleading handled that requires immediate attention (ex. Temporary Restraining Order)?

A:

Pleadings submitted using Filing Descriptions "Temporary Restraining Order..." will be processed as a priority. If signed, the clerk will enter the order under the appropriate filing code using the date signed by the Judge and will rescan into the case management system and may be viewed online.

My motion requires a hearing date and time (setting). How is that handled?

A:

The Motion and Proposed Order must be e-filed as separate lead documents. The Proposed Order will be presented to the Judge for completion. You will need to [contact the court coordinator](#) to schedule the hearing. If signed, the Order will be rescanned into the case management system and may be viewed online.

How do I submit proposed orders?

A:

Use filing code "Proposed Order". The Proposed Order will be presented to the Judge for review. If signed, the clerk will enter the order under the appropriate filing code using the date signed by the Judge and will rescan into the case management system and may be viewed online. Keep in mind that if you are filing a Motion along with the Proposed Order, you will need to submit each document as a "lead document" for proper filing (ex: Motion is a lead document, Proposed Order is a lead document).

What is Proper or Title case?

A:

In proper or title case, the first letters of all words are capitalized (except certain words such as - a, an, the, for, and, nor, but, yet, to, of or as) (ex. Motion for Summary Judgment).

How do I file a document containing Sensitive Data (ex. SSN or DL)?

A:

View a listing of data required to be redacted according to [Rule 21c\(a\) - \(page 6\)](#).

If e-filed, the filer should select "Contains Sensitive data" within the Security field. This is pursuant to Rule 21c(d), designating the document as containing sensitive data at the time the document is electronically filed, so that the filing is accepted and handled accordingly.

Filings Need Help?

Enter the details for this filing

Filing Type: EFileAndServe Filing Code: Counter Claim/Cross Action/Interpleader/Interventio.

Filing Description: Counter Claim

Client Reference Number: Firm client re-bill or case tracking # Comments to Court:

Courtesy Copies:

Lead Document (Required): CounterClaim.pdf 26.67 KB

Description: CounterClaim.pdf

Security: Contains sensitive data

Optional Services and Fees

Optional Services and Fees	Fee Amount	Quantity	Fee Total
+ Add Optional Services and Fees			

Undo Save Changes

When requesting service/issuance (ex. Citation, Precept, Show Cause, Temporary Restraining Order), how do I provide the copy of the Petition/Document that is to be attached to the Process?

A:

You have two options:

1. Pay for a copy to be attached to the process or,
2. Remit a copy of the Petition/Document that is to be attached to the process

If I am a Pro Se litigant, how do I remit a copy of the Petition/Document that is required to be attached to the process [ex. issuance of citation(s)]?

A:

You can deliver the copies of the Petition/Document by method of mail to Fort Bend County Clerk at 301 Jackson Street, Room 101, Richmond, Texas 77469 or personal delivery to the Fort Bend County Clerk's Office at [1422 Eugene Heimann Circle, Room #11005, Richmond, Texas 77469](#). Once received, the requested process will be issued. Please ensure that the "Case Number" and "Judicial County Court Number" are listed on the document and indicate that said document is a "Copy" for the service process.

Note: *Process will not be issued until the service copies are received therefore it is imperative that the copies are sent in a timely manner to ensure prompt issuance.*

If I am a Pro Se litigant, how do I pay for a copy of the pleading to be attached?

A:

The fee for a copy of a pleading on file is \$1.00 per page. If you choose to pay for the copy while you are filing the pleading requiring service, you should follow the procedures as set forth by your chosen EFSP. If a citation or process is requested and copies are not paid for at the time of filing, you will need to deliver the copy or copies of the document to be attached to the process (service paper) to the County Clerk's Office for completion of the requested service.

Note: *Process will not be issued until the service copies are received therefore it is imperative that the copies are sent in a timely manner to ensure prompt issuance.*

What if I need service by a Fort Bend County Constable/Sheriff?

A:

If service is required by one or multiple Fort Bend County Constables/Sheriff, choose a generic Constable/Sheriff as set forth by your chosen EFSP. The clerk will make the necessary changes to reflect the appropriate Constable(s) prior to acceptance.

View [Constable/Sheriff – Fees](#).

If cases have been consolidated, which case number should be used to e-file documents?

A:

All documents should be e-filed using the **pending** case number only.

How do I pay a Jury Fee?

A:

If you are filing a Jury Demand or any other document, you can add Jury Fee as an Optional Service.