

BEVERLEY MCGREW WALKER District Clerk Fort Bend County, Texas

### **Criminal E-Filing 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.

Our office offers E-Filing training either by phone or in person. We can train in our office or we are more than happy to train you in your office. Please contact Epi Cantu at 281-633-7675 or 281-341-4509 to schedule a date and time.

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

All Criminal E-Filings are submitted using a waiver account.

Setup Waiver Account-Sample

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#### How to set up a waiver account for criminal E-Filing.

## How to E-File for Criminal Cases

https://efile.txcourts.gov/OfsWeb/

- Sign In

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Texas Public eService Webinar	
eFieTXCourts gov has launched our "new* version of the filing portal. This can be utilized to submit filings to the eFileTXCourts.gov filing manager. This new filing portal is designed in HTML5 and offers a number of added benefits including the ability to access eFileTXCourts gov on your table or phone, enabling copy, paste, sorting and filtering features, single screen data entry, keyboard shortcut navigation, modern web browser support and more!	J
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### File into an existing case EFILE. TXCOURTS.gov" Efile Guidance & Resources Actions -Filer Dashboard My Filing Activity New Filing ? Pending Start a New Case 📀 Use a Template 1 Accepted File into Existing Case 🔞 Returned Need help getting started? 3 Drafts Served View All • EMPOWERED BY Tyler Technologies Version: 3.15.4.5593 © 2017 Tyler Technologies

- Select
- For CRIMINAL cases (DCR numbers) select <u>"Fort Bend</u> <u>County-District Clerk- Criminal"</u>
- **SELECT** radio button case number and input the proper Case Number and select **SEARCH**

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- Actions
- File Into Case



# Can I file multiple documents in the same case? (ex. Motion and Unsigned Order or Additional Motions)

Yes, multiple documents in the same case may be filed in one envelope vs. multiple envelopes containing only one document. Each document must be submitted using the appropriate Filing Code and must have a "lead document" attached. (ex. Motion is a lead document; Unsigned Order is a lead document)

How do I file identical documents into multiple criminal cases?
Each document will need to be E-Filed into each case separately.



#### How do I file a Motion with a Proposed Order attached?

File the Motion by using filing code Motion and under the same envelope add another filing code by using filing code Proposed Order. See Example Below.

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Scroll to <u>"filings"</u> section

- Select Filing type: E-file
- Select Filing Code: Ex. Motion
- Filing Description: Motion to Withdraw as Counsel of Record
- Attach Document
- Save Changes

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Order on Motion to Withdraw as Coun Reference Number Type the proper title document in Proper the Filing Description the Filing Comments	of the Case Type in field and field	nts on to Withdraw as Counsel

#### How Do I file a Motion and Order that is on the same page?

Use filing code Motion and the Filing Description and Filing Comments will have the title of the document followed by with Proposed Order in Proper case Type. See example below.

Enter the details for this filing Filing Type EFile	Filing Code Motion	Choose Motion under Filing Code
Filing Description Motion to Withdraw as Counsel with Propose	d Order	
Reference Number Firm client re-bill or case tracking #		Filing Comments Motion to Withdraw as Counsel with Proposed Order
In the Filing Description and F Comments Fields type the titl Motion followed by with Prop	iling e of the posed Order.	

# What if I am filing a Motion to Substitute and I am the attorney being substituted in?

When filing a Motion to Substitute along with the Proposed Order, you will enter both documents into one envelope. DO NOT add yourself as an attorney. Once the Order is signed by the Judge, the District Clerk's Office will add the substituted attorney.

# What if I was appointed to represent the defendant and Odyssey isn't reflecting me as "Appointed"?

The Order Appointing Counsel packets are filed with our office by the Indigent Defense and are not always filed on the same date you were appointed. Please give the District Clerk's Office a few days to have Odyssey reflect you are appointed.

#### Which Filing Code do I use for my document?

Once the correct Filing Code is determined, the title of the document will go in the Filing Description **and** Filing Comments in Proper Case Type format. If the document has an attached Order it will be filed separately as a Proposed Order in the same envelope. See below examples.

Filing Code	Document Examples
Affidavit	Affidavit of Surety to Surrender
Amended Filing	Any Amended Filing
	Answer/Contect/Decrease to any decument filed
Answer/Contest/Response/Waiver	Any Waivers
Application	Applications for Subpoenas, Bench Warrants, Any Application Filings
Bond	Bonds Posted
Election as to Punishment	Election as to Punishment
Letters	Any letters Cover Letters
Motion	Any Filing that is a Motion (some exceptions apply); All Pre-Judgment Writs, any Motions to Reduce or Modify Bond Amounts, and any Motions to Modify Bond Conditions and/or bond restrictions
Motion to Revoke Probation/Adjudicate Guilt	Motion to Adjudicate Guilt and Motion to Revoke Probation
Notice	Any Filing that is a Notice; Notice of Appeal
Other Documents Not Listed	If no Filing Code can be found for the document
Proposed Order	Any Order that needs to be signed by the Judge
Report/Return	Probation Violation Reports Amended Violation Reports (type the title in the filing description and filing comments); Any Filing Requesting Copies; Capias Returns, Subpoena Returns, Bench Warrant Returns, Precept Returns, Summons Returns; or Psychological Evaluations
Request	Any ming that is a Request

- Select Waiver at Payment Account
- Select Filing Type: Not Applicable
- Select Save Changes



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- Select Summary

### - Select Submit

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