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Tammy Carter runs Case File XPress Inc., an e-filing service provider for court systems.

E-filing on the rise in Texas courthouses

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BENEFITS OF ELE3CTRONIC FILING

Every weekday, ad hoc relay teams of lawyers, legal assistants, overnight couriers and bicycle messengers carry court documents to court clerks' offices, where they're processed, filed and stored.

This customary relay race to Texas county courthouses now has a new course.

Attorneys and courts statewide steadily are adopting electronic filing through a state-managed service called eFiling for Courts.

Among the 21 participating Texas counties are three of the state's largest district court systems: Houston's Harris County, San Antonio's Bexar County and, as of Jan. 30, Austin's Travis County.

The goal of eFiling for Courts is to reduce private and government costs associated with creating, tracking, delivering, processing and filing court documents. The cost to file a pleading electronically is significantly less than that of photocopying and delivering documents.

On average, an electronic filing service provider charges \$4 to \$10 to manage a filing. Additional fees may include a court convenience fee, usually \$2, or credit card fees required by county governments. In some cases, e-filing can cut delivery costs by more than half.

The state portal TexasOnline launched eFiling for Courts in 2003 and created a niche for specialized private companies called electronic filing service providers. Serving law firms and individual filers, electronic filing service providers carry electronic documents to the state service, which routes files to the appropriate court.

TexasOnline and its contractor, BearingPoint Inc., dictate the functional, technological and security requirements for electronic filing service providers. A company must become certified by TexasOnline in order to provide e-filing services.

Austin-based Case File XPress Inc. was the first state-certified electronic filing service provider under the eFiling for Courts initiative. Last December, the company handled more than 60 percent of e-filings statewide.

Tammy Carter, Case File XPress' founder and general manager, says demand for the service is growing because legal professionals have become more open to change and more comfortable with computers.

- Round-the-clock access to court documents.
- Potential elimination of paper files that can be misplaced or lost.
- The ability to store and search documents electronically.

"When I started three years ago, attorneys would say, 'This will never work; I'll never use it,'" Carter says. "I used to have to go to them. Now they call me."

Legal professionals acknowledge their industry is slow to embrace change. But attorneys are recognizing the perks associated with e-filing.

"Because the courts accept electronic signatures, I can complete a document, electronically sign it and file it from my laptop computer without assistance from anyone else," says Julie Hardin, an attorney at Fulbright & Jaworski LLP in Houston.

According to BearingPoint, eFiling for Courts is gaining more and more acceptance in the judicial and legal communities.

At the start of 2005, 65 Texas court systems were engaged in e-filing, with 200 filings submitted through TexasOnline. As 2005 came to a close, the number of participatory courts had nearly tripled to 182, and the monthly filing volume exceeded 2,000.

The opportunity to reduce the lengthy paper trail associated with filing documents inspired entrepreneur David Johnson. In October 2004, he started MyFileRunner, an electronic filing service offered by Austin-based County Road Software Inc.

"Long term, e-filing has nowhere to go but up," Johnson says. "It's not something that's going to remain flat."

Aside from cost savings and convenience, e-filing also brings consistency to Texas' network of 254 county court systems.

Linda Hill, a team leader in the home equity department of Houston-based Baxter & Schwartz PC, regularly files documents in more than 200 counties statewide, including Travis.

"It's about time Travis is coming online," Hill says. "They are one of the picky counties. You couldn't have any holes punched or staples in your documents. When you have a 30-page file, you want to make sure every page is there."