

[At Last, E-Filing Is Coming to Texas Appellate Courts](#)

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Four years ago, I first asked [when appellate courts would catch up on e-filing](#). Since then, the Fifth Circuit has successfully implemented an e-filing program, which has been mandatory for almost a year now. In state appellate courts, however, the process has been painfully slow.

The Texas Supreme Court took a giant step in the right direction this week by releasing [amendments to the Texas Rules of Appellate Procedure](#) that expressly allow the Supreme Court, the Court of Criminal Appeals, and the intermediate courts of appeals to "permit[] or require[] [documents] to be filed, signed, or verified by electronic means" Amended TRAPs 9.2 and 9.3 are open to public comment through May 31, 2011 and, with any modifications, will take effect June 30, 2011.

The amending order promulgated templates for local rules governing electronic copies and electronic filings in the courts of appeals. These templates mirror [e-copy and e-filing rules the Supreme Court adopted by separate order](#), which take effect March 14, 2011. The second order supersedes [the Supreme Court's current e-copy practices](#), but retains features that have become familiar to those who routinely file documents with the Court.

The e-filing rules represent the most significant change. Through the [Texas.gov](#) portal familiar to many trial-court practitioners, parties will be able to submit PDF documents to the Supreme Court and other registered users for filing and service. This functionality was supposed to be wrapped up in the [Texas Appeals Management and E-Filing System](#) (TAMES) project, but the TAMES rollout dates have been pushed back repeatedly. Apparently unwilling to wait any longer, the Supreme Court has effectively separated e-filing from TAMES. With the local-rule templates, the Court has laid the groundwork for e-filing in other appellate courts as well.

Unlike the Fifth Circuit, the Texas Supreme Court's e-filing program is voluntary. Like the Fifth Circuit, paper copies are still required. The day is coming when submissions to appellate courts will be electronic only. It's just not here yet.