

## [Appellate Court E-Filing Becoming a Reality](#)

Posted on February 15, 2010 by [D. Todd Smith](#)



Three years ago, [I asked when appellate courts were going to catch up on e-filing](#). At the time, I noted some of the advantages e-filing presents over traditional methods and observed that appellate courts had been slow to meet the trend.

Times are finally changing.

Effective today, [the Texas Supreme Court requires parties to e-mail searchable PDF copies](#) of just about every kind of filing other than a motion for extension of time. Sending e-copies is not yet sufficient to constitute filing; for now, the Court still requires the regular paper versions.

In the Fifth Circuit, voluntary e-filing has been available since December through the Court's electronic case filing (ECF) system. However, [the Fifth Circuit will be converting to mandatory ECF filing](#) on March 15, 2009. As of that date, unless excused for good cause, counsel must register as an approved filer and comply with the Court's [electronic filing standards](#), which will be familiar to existing PACER users. More information is available through [this link](#).

Full-blown e-filing is on the horizon in Texas state appellate courts as well. As previously discussed [here](#), the Office of Court Administration has been working on the [Texas Appeals Management and E-Filing System](#) (also known as TAMES) for some time.

Third Court of Appeals Chief Justice Woodie Jones discussed TAMES in detail during his [recent talk](#) to the Austin Bar Civil Appellate Law Section. Essentially, TAMES will work much like Texas trial-court e-filing does now, with litigants submitting documents in PDF format to a site that will transmit them to the appellate court and other registered users for filing and service. According to Chief Justice Jones, TAMES will roll out in the Dallas and Houston courts of appeals this May, with the Austin court following shortly thereafter. I would expect the Texas Supreme Court to be part of this early initiative as well.

As the appellate courts begin the inevitable transition to bona fide e-filing, trial-court clerks and court reporters must find ways to provide appellate records to the parties and courts in digital form. Jurisdictions that mandate e-filing at the trial-court level have an advantage in that process. Others will have to catch up.

Update: Don Cruse has some additional thoughts on the Texas Supreme Court's e-copy initiative over at the [Supreme Court of Texas Blog](#).