

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

FILED

MAR 01 2006

GENERAL ORDER

In Re: **Procedural Rules for
Electronic Filing in Civil
and Criminal Cases**

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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY J. Reed
DEPUTY CLERK

In accordance with the provisions of Rules 5 and 83, FEDERAL RULES OF CIVIL PROCEDURE, and Rules 49 and 57, FEDERAL RULES OF CRIMINAL PROCEDURE, district courts are authorized to establish practices and procedures for the filing, signing, and verification of documents by electronic means.

ACCORDINGLY, it is hereby ORDERED:

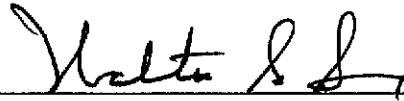
- I. The Clerk of the District Court is authorized to implement and publish Administrative Procedures for Electronic Filing in Civil and Criminal Cases (hereinafter, "Electronic Filing Procedures"), including, but not limited to, procedures for registration of attorneys and for the distribution of passwords to permit electronic filing and notice of motions, pleadings and other papers. In the event of any conflict between the Local Court Rules for the Western District of Texas and the above-referenced Electronic Filing Procedures, the Electronic Filing Procedures shall govern.
- II. The electronic filing of motions, pleadings or other papers by any person registered as a participant in the Electronic Filing System shall constitute a signature pursuant to Rule 11, FEDERAL RULES OF CIVIL PROCEDURE, and all other applicable rules.
- III. No person shall knowingly permit the unauthorized use of that person's password.
- IV. No person, other than the Filing User or the Filing User's authorized agent, shall knowingly utilize or cause another person to utilize, a Filing User's password.
- V. The electronic transmission and docketing of any motion, pleading or other paper in accordance with the provisions of the Electronic Filing Procedures adopted by this Court shall constitute entry of that motion, pleading or other paper on the docket by the Clerk as required by Rule 79, FEDERAL RULES OF CIVIL PROCEDURE, and Rule 55, FEDERAL RULES OF CRIMINAL PROCEDURE, and all other applicable rules.
- VI. The Office of the Clerk shall enter all orders, decrees, judgments, and proceedings of the Court in accordance with the Electronic Filing Procedures, which shall constitute entry of the order, decree, judgment, or proceeding on the docket by the Clerk as required by Rule 58, FEDERAL RULES OF CIVIL PROCEDURE, and Rule 55, FEDERAL RULES OF CRIMINAL PROCEDURE, and all other applicable rules.

VII. Receipt by the court of the completed and signed e-filing and e-noticing registration form available on the Court's Internet site at <http://www.txwd.uscourts.gov/ecf/> shall constitute participation in the Electronic Filing System and request for service and notice electronically pursuant to Rule 5(b)(2)(D), FEDERAL RULES OF CIVIL PROCEDURE and Rule 49, FEDERAL RULES OF CRIMINAL PROCEDURE, and all other applicable rules.

VIII. The effective date of this General Order is June 1, 2006.

SIGNED, this 22 day of July 2006.

For the Court



WALTER S. SMITH, JR.
Chief Judge, United States District Court