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Hidalgo County

District Clerk

County Preps to Launch Court Records Online

The district clerk office, in conjunction with the county clerk office and our IT Department, have been working diligently to execute the *Odyssey Secured Public Access Link* which will allow attorneys restricted internet access to records and case files within the clerk's judicial file system.

The Hidalgo County Commission granted on January 15th to allow authorized subscriber's access to such information through an online *attorney subscriber agreement* which outlines the terms and conditions of accessing online court records for a *subscription fee* set forth by commissioners' court.

Prior to proposing the measure, clerks ensured that all court records, except those made confidential or privileged by law or statute, will be viewed by subscribers. Once the county has fully transitioned into Odyssey, both civil and criminal records will be available through the Odyssey Secured Public Access Link. In the meantime, criminal records are accessible by approved government and law enforcement agencies, bail bond companies, and law firms, at no cost through the *Criminal Case Judicial Search* online.

The agreement and subscription fee will become effective for one year from the date it is acquired and accepted online. Although print access to public court records through the online subscription is unlimited, requests for certified copies will still need to be processed at the district clerk office and appropriate fees assessed. The district clerk office foresees offering certified



copies online in the future and is currently evaluating software options that will allow us to incorporate this service.

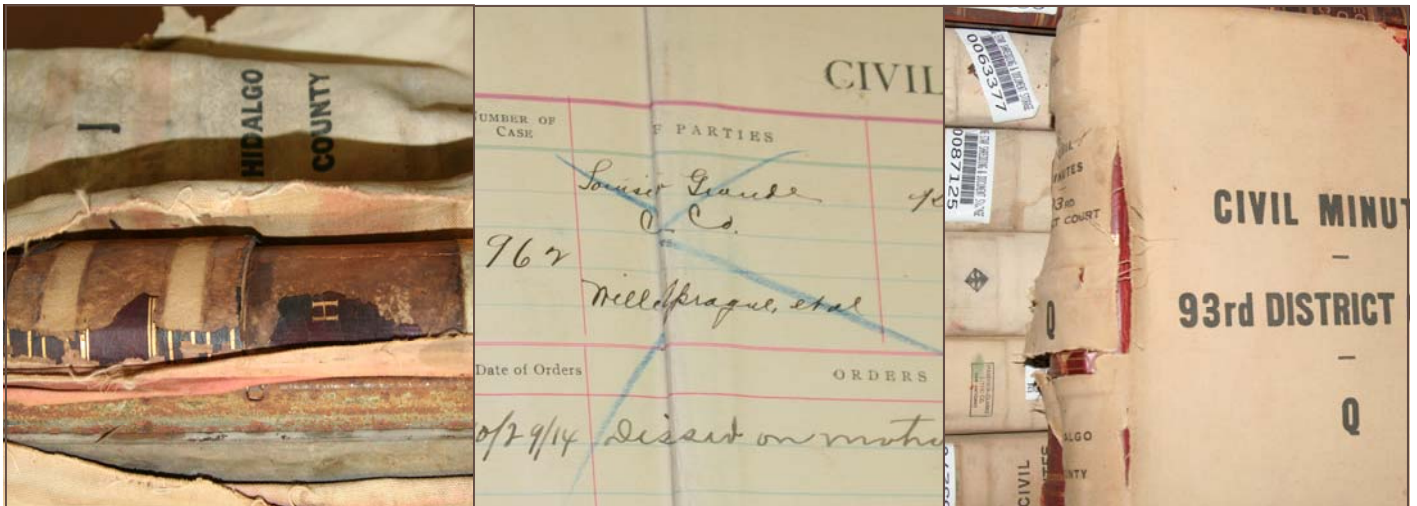
The Odyssey Secured Public Access Link will help empower our legal community by allowing them to access essential court and justice information via the internet from anywhere at anytime. This also means our office can cut costs and increase our staff's efficiency by re-allocating their efforts to higher priority tasks.

We are excited to be able to provide attorneys, and later the entire community, convenient access to services through this state-of-the-art application. We are also proud of our monumental strides in implementing efficient and progressive practices by capitalizing on technology.



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Preserving the Past



The district clerk office hosted in October 2012 The Honorable Mark Davidson, former Harris County District Court Judge, to assist in assessing court records pre-dating the 20th century, currently archived at the University of Texas-Pan American (UTPA).

The district clerk office recently secured a copy of the "Regional Historical Resource Depository Agreement" which was signed in 1975 by representatives of Pan American University (PAU) the Texas Library and Historical Commission, and the Texas State Archives. The agreement establishes PAU as the official depository for the region, charged with the responsibility to collect, preserve and administer public records originating in the area assigned to the depository, for the purpose of scholarly research.

Among the records found in the archives collection at the UTPA are district clerk court records, civil and criminal, dating back to 1881.

Judge Davidson, an avid legal history buff, has assisted other counties statewide in developing historical court record preservation projects. In Hidalgo County, Judge Davidson will review a portion of the archives collection to pinpoint court records/cases of historical value. Furthermore he will convene stakeholders to propose collaborative efforts and offer suggestions on how to pay for the preservation, with a long-term goal in mind: digitalization.

In counties such as Harris County, Judge Davidson helped raised about \$2 million in private donations to build a state-of-the-art historic documents room with controlled humidity and special lighting. The room will also be equipped with a dry fire suppression system. The contributions also paid for removing the destructive acid used in 19th century ink and paper.

The district clerk office envisions a similar model in which the local community will invest in the preservation of individual documents that will soon be lost unless they undergo a special preservation process.

Records maintained by district and county clerks through out the state of Texas, including Hidalgo County, contain among the most important historical documents in the state as they contain information about famous Texans and information regarding the lives of ordinary Texans during historic eras (such as the Republic of Texas, the Civil War, and the Great Depression).

As a result of this effort, the district clerk office is proud to announce the restoration of 3 books dating back to the early 1900s. Through an expert preservation process, books will be dismantled, cleaned, humidified, repaired, restored, deacidified, and finally encapsulated and reassembled in archival disaster safe binders for public viewing.

NICS Update

In the fall of 2011, the Texas NICS (National Instant Criminal Background Check System) Record Improvement Task Force was established to develop strategic planning for the improvement of the quality and availability of prohibiting mental health adjudication and commitment records in Texas used by NICS.

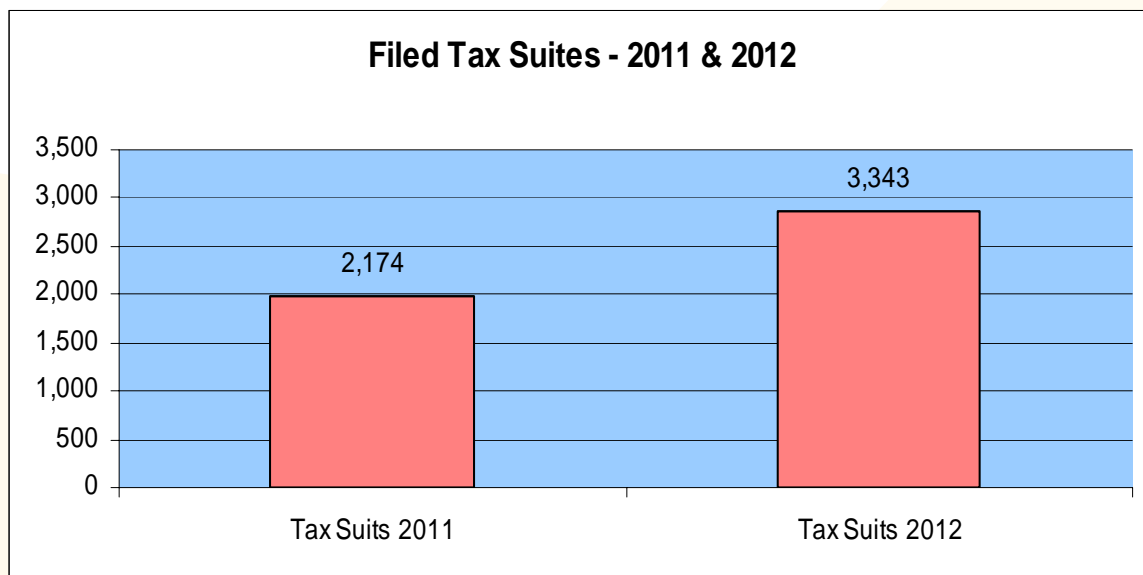
The NICS Record Improvement was charged with: 1) reviewing the results of the assessment of the completeness and availability of mental health records; 2) seeking to identify the challenges for incomplete and/or unavailable mental health records; 3) developing recommendations for the achievement of improvements in the quality, completeness, and availability of these records; and 4) developing a NICS Improvement Plan for mental health records.

The Hidalgo County District Clerk Office has made great strides in improving the reporting of mental health records to NICS as have other counties statewide. NICS mental health records in Texas have increased 22.5 percent from 168,384 at the beginning of the project to 206,342 records as of August 31, 2012. According to the Mayors Against Illegal Guns, a state requires 209,150 records entered into NICS to be a best performing state, which as of October our state was 1,232 short of that number. However, as of December 31, 2012, Texas had 209,154 entered into NICS – thus, crossing the threshold to be a “best performing” state. The district clerk office appreciates the assistance provided by OCA and our staff’s hard work and dedication in ensuring mental health records continue to be accurately reported to the state.

Tax Division

The Tax Division has been working diligently to ensure tax suit filings are processed in a timely manner. As of September 2012, our tax division had already seen an approximate 45% increase in tax suit filings in comparison to 2011. Through December 2012 tax suits filed totaled 3,343.

To aid in this endeavor, the district clerk office, with the assistance of our IT Department, made accessible tax suit records online exclusively to tax suit entities conducting business with our office. This has empowered tax suit firms to conduct their own record searches, assess fees and access the information they need at their convenience. This has further enabled our staff to focus on other important tasks in the office and improve customer service through effective and innovative practices.



Supreme Court Mandates Civil Case eFiling



The Supreme Court of Texas announced on December 11, 2012, an order mandating electronic filing (“e-filing”) for attorneys in civil cases, including family and probate, in the appellate courts, district courts, statutory county courts, constitutional county courts and statutory probate courts. The order sets out a schedule for implementation beginning with the most populous counties in January 2014. Additional courts are added according to county population every six months until all courts are using e-filing by mid-2016.

Currently, the Supreme Court of Texas and four of the courts of appeals mandate e-filing. Another five courts of appeals, 236 district courts, 81 county courts, 7 statutory probate courts and 28 justice courts permit e-filing. Over 80 percent of the state’s population currently resides in a county with e-filing at the trial courts. With this order, the Texas state courts join the federal courts and twenty-three other state court systems that currently mandate e-filing to varying degrees.

“After considering the testimony, both oral and written, provided at the Court’s hearing, along with the recommendations of the [Judicial Committee on Information Technology] regarding e-filing, the Supreme Court of Texas concludes that mandatory e-filing in civil cases will promote the efficient and uniform administration of justice in Texas courts,” states the order.

The order comes on the heels of an announcement by the Office of Court Administration (OCA) in November that a new contract for e-filing had been signed. TexFile, the new e-filing service, is expected to be implemented in Summer 2013. OCA announced that

TexFile will immediately reduce e-filing transaction fees by up to 48 percent. Today’s order ensures that filers will receive the greatest discount under the TexFile contract, which states that “in the event the Supreme Court of Texas promulgates a rule or adopts an order requiring statewide mandatory e-filing by attorneys in civil cases...the [lowest use fees] will automatically apply within 30 days of the effective date of the rule or order.” Under this provision, e-filing transaction fees would drop by up to 86 percent.

In addition to the immediate reduction in costs, the Texas Judicial Council has requested that “toll-road” model’s per-document or per-transaction fee. Under this approach, a case with ten transactions would see the per case cost of e-filing reduced by at least 67 percent and up to 94 percent.

The order also prohibits courts and clerks from offering an alternative system of e-filing, including fax filing, which sets up a uniform, statewide portal for e-filing in Texas.

While all attorneys are required to e-file under the order, Administrative Director of the Courts David Slayton explained that attorneys may still have an option to file in clerks’ office should they wish to do so.

“The new contract allows for free e-filing using a terminal at a clerk’s office, so if an attorney or litigant wishes to take advantage of that option, they will be able to do,” Slayton said. “We will be working with the clerks of the state to determine if they will offer the service and how to best set up that option.”

The order does not require self-represented litigants to e-file, but does permit them to do so. Under the TexFile contract, indigent filers and certain government filers are allowed to e-file without additional charge.

The order indicates that the Supreme Court will adopt statewide e-filing rules in advance of the mandate schedule. The Office of Court Administration is a state agency in the Judicial Branch that operates under the direction and supervision of the Supreme Court. It provides resources and information for the efficient administration of the Judicial Branch of Texas. More information on the office is available at www.txcourts.gov/OCA.

Clerk Takes Part In Continuing Ed



Laura Hinojosa joined over 400 county and district clerks for the School for County and District Clerks at the Hilton College Station Hotel and Conference Center on January 14-17, 2013.

The annual continuing education School in College Station is sponsored by the V.G. Young Institute of County Government, which is part of the Texas A&M AgriLife Extension Service. The Institute provides elected county officials with information and technical assistance to help officials complete their state-mandated, minimum continuing education requirements. The School offered 20.5 hours of credit to

clerks attending all of the sessions.

As one of a small number of states that requires all elected county officials to earn continuing education credits, explained Richard O. Avery, Director of the Institute, "Texas county officials get an opportunity to learn new and vital information, so they can better serve the citizens of Texas. The Institute provides education to county commissioners, judges, tax assessor-collectors, county and district clerks and HR professionals through various programs held across the State.

"Continuing education is extremely important as it equips us with the necessary skills and knowledge to fulfill our responsibilities as elected officials," said Hinojosa. "In addition to attending the informative sessions we also have the opportunity to network with new and seasoned clerks throughout the state regarding important issues affecting our offices in our respective counties. We get to learn a lot from each other without having to reinvent the wheel."

Making a Difference



The district clerk office was proud to participate in the 2012 Hidalgo County Bar Foundation's Thanksgiving Food Drive which benefited low income families supported by Proyecto Azteca, LUPE (La Union Del Pueblo) and the South Texas Civil Rights Project. The district clerk office also partook in the Court Appointed Special Advocates' (CASA) Annual Foster Children

Christmas Party. For over ten years, CASA of Hidalgo County has organized the celebration to allow children who would not otherwise experience the celebration of Christmas, rejoice in the spirit of the holidays. This year, CASA collaborated with many community organizations to ensure a positive holiday experience in the lives of 700 children.

The district clerk office is proud to "give back" by engaging staff to help make a difference in the life of our community.

Non-Criminal Cash Bond Disbursement



The district clerk office initiated in October 2012 a letter campaign to aid in the disbursement of non-criminal cash bonds held in the Registry of the Court dating 2008 to present. The objective behind the initiative was to notify authorities regarding dormant cases where child support monies went unclaimed.

As a result of this effort the district clerk office is proud to report that a total of \$78,394.99 have been disbursed accordingly. Any and all funds held in the Registry of the Court require a signed court order by a judge authorizing the disbursement. The district clerk office will continue sending out notices as deemed necessary. The follow-up notice is scheduled for March 2013.

Passport Day in the USA

The Hidalgo County District Clerk Office
presents

2013 **PASSPORT Day in the USA** Mar 8th

Friday, March 8, 2013
8am — 5pm
100 N. Clossner, Edinburg, Texas

Planning to travel outside the United States? Will your next vacation or business trip take you outside the US?? The Hidalgo County District Clerk Office is hosting the perfect event to help ensure you are able to get back home.

Passport Day in the USA is scheduled for Friday, March 8th from 8am to 5pm at the district clerk office in the Hidalgo County Courthouse.

To learn more about travel requirement for U.S. Citizens or to apply for a U.S. Passport, please join us for Passport Day in the USA.

Logon to www.co.hidalgo.tx.us/districtclerk for fees, forms and other passport related information in anticipation of your visit.



The Office of Acceptance Facility Oversight (AFO) for the US Department of State recently conducted a passport inspection of the Hidalgo County District Clerk Office to ensure acceptance facilities are maintaining and improving the integrity of the passport application process. The AFO also aids in identifying vulnerabilities and providing improved communication between the Acceptance Facility and their Regional Passport Agency.

Other than a couple of minor improved recommendations, the district clerk office was commended for receiving “excellent marks” in the passport inspection. The office was also commended for our “knowledge and security practices” in maintaining an efficient passport program.

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Office Hours

Monday—Friday

7:30am—5:30pm



Please visit our website! Whether verifying fees, responding to your jury summons, or accessing case and passport information, you will find all the information you need here:

www.co.hidalgo.tx.us/districtclerk

We also encourage your honest assessment of our services as we continue to evolve and improve through your valuable input. Email your comments to: districtclerk@co.hidalgo.tx.us



The Hidalgo County District Clerk Office presented on December 26th a check totaling \$3,250 to the Boys & Girls Club of McAllen as part of their Blues for Bucks Workplace Fundraising Campaign, a program benefiting local charitable organizations.

The Boys & Girls Club of McAllen began in 1966 and today is one of the fastest growing Clubs in the nation. With five Traditional Sites, five Afterschool Alliance Sites, and six 21st Century Sites and an annual operating budget of \$3 million, the Boys & Girls Club of McAllen has grown to meet the needs of the more than 10,000 members. The organization offers youth members relationships with caring, professional staff and mentors. They are committed to giving children safe, affordable, fun alternatives to the streets and helping to change lives of the youth they serve.

“The Boys & Girls Club of McAllen is extremely grateful to the Hidalgo County District Clerk staff for thinking of us at this time,” said Normalynda Zepeda, Resource Developer. “It is nice to know that people want to invest in our kids and our worthwhile organization. We are thankful for their contribution.”

The district clerk office kicked off their charitable efforts in 2008. The program, which allows department staff to wear jeans every Friday in exchange for a \$5 donation, has since then expanded their efforts through the creation of a “charitable organizations list” of which staff randomly selects a recipient every six months. Over the past four years the district clerk office has collected over \$30,000 which has gone to local charitable organizations throughout Hidalgo County.

“District clerk staff is honored to be able to contribute, in a small way, to the Boys & Girls Club of McAllen and their mission,” said Hinojosa. “I am particularly proud of my staff, who through these ongoing efforts, have fostered the true meaning of ‘public service’.”

For more information about the Boys & Girls Club of McAllen, call 956.682.5791 or log on to <http://www.bgcmcallen.org>.