



Laura Hinojosa

Hidalgo County
District Clerk

For Immediate Release
Tuesday, March 12, 2013

By DAVID A. DIAZ
Legislativemedia@aol.com

Hidalgo County could be first in Texas to allow e-filing in all criminal cases under Rep. Canales' bill

Hidalgo County would be the first in Texas to allow attorneys in all criminal cases to file pleadings and documents electronically – known as e-filing -- under legislation considered on Monday, March 11 by the House Committee on the Judiciary and Civil Jurisprudence, said Rep. Terry Canales, D-Edinburg.

If approved by the Legislature and signed into law by Gov. Rick Perry, Canales' House Bill 349 would go into effect on September 1, 2015. HB 349 is designed to improve the delivery of justice in Hidalgo County, reduce costs to county taxpayers, attorneys and litigants, and take advantage of the latest technological advances in the state's legal system.

"Courts have long been burdened with processing paper, a problem that continues to grow exponentially and largely unabated," said Canales. "After more than 165 years of processing traditional filing, Texas Court Clerks are awash in the state's judicial paper trail. Electronic filing offers a means to stem the paper tide."

The House District 40 Democrat noted a passage from Texas Chief Justice Wallace Jefferson's "State of the Judiciary Speech" on March 6, in which the Republican leader impressed the need to move to electronic filing. "Our courts operate much like they did in 1891 with paper, stamps on paper, cabinets for paper, staples, storage, shredding of paper," Canales quoted Jefferson. Canales agreed with Jefferson's concerns that "one of the more intractable barriers to justice is antiquity."

During his speech before state lawmakers on March 6, Jefferson also noted "with e-filing, document storage expenses for court clerks decrease.

--more--

Post Office Box 87

Edinburg, Texas 78540

Telephone (956) 318-2200

Fax (956) 318-2251

districtclerk@co.hidalgo.tx.us



Laura Hinojosa
Hidalgo County
District Clerk

Staff that formerly spent time sorting and file-stamping paper can be assigned to higher-skilled tasks. Important court documents are less likely to be damaged or lost. Attorneys can file their pleadings across the state without the need to master various filing systems. And litigants can more quickly access documents online.” Canales said his measure is endorsed by Hidalgo County Judge Ramón García, Hidalgo County Clerk Arturo Guajardo, Jr., and Hidalgo County District Clerk Laura Hinojosa.

Hinojosa, daughter of U.S. Congressman Rubén Hinojosa, D-Mercedes, testified before the House panel in support of Canales’ legislation. Hinojosa has developed expertise in e-filing for the courts system as a member of the Texas Judicial Council, which studies methods to simplify judicial procedures, expedite court business, and better administer justice.

She noted that the Texas Supreme Court has already ordered the full implementation of electronic filing for all civil cases in Hidalgo County by January 2014, so the infrastructure is already being set up to allow for e-filing for all criminal cases. “There shouldn’t be any fiscal impact (costs),” she testified. “We will be ready to go in January 2014 with civil e-filing, which is the mandate of the Texas Supreme Court. I believe Hidalgo County will be ready for criminal e-filing by the date set by Rep. Canales (September 2015).”

Canales added there would be some start-up cost, but ultimately the new system will save money for the county government. There would be no cost to the county government to use the e-filing system for civil or criminal cases, and there would be no cost to litigants who are too poor to pay for the service, he added.

Also under his legislation, Hidalgo County could still allow traditional paper filing as well. But, Canales predicted, the future is at hand. “As Chief Justice Wallace Jefferson said, ‘The era of big paper is over,’” Canales said.

###

Permission is granted for the use of all or portions of this photograph, caption, and article by the news media, including Internet-only news media sites. Credit to www.EdinburgPolitics.com is not required but would be appreciated. Rep. Terry Canales may be reached at (512) 463-0426.

Post Office Box 87

Edinburg, Texas 78540

Telephone (956) 318-2200

Fax (956) 318-2251

districtclerk@co.hidalgo.tx.us