

ENTER YOUR VIRTUAL COURTHOUSE!

**FINDING YOUR
REAL ESTATE AND
COURT RECORDS ONLINE**

Presented To:

**Estate Planning and Probate Section
Collin County Bar Association**

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PREFACE

TYPES OF RECORDS

I refer to two types of online records in this paper:

- A. An **index** of available real estate and court documents
- B. An **image** of the real estate and court documents.

A number of County and District Clerks provide an index and sometimes a detailed summary online. Some County Clerks also provide real estate document images online. Only a few counties have started to provide court document images online. Other Clerks provide some online court document images with the payment of a monthly or annual subscription fee.

Several private companies have created online access or databases for the same real estate and court records. You may consider using them instead or, or in addition to, the clerk online records. Be prepared that the private database companies will offer several fee options for their services. You may “test drive” their database of information before you purchase a subscription. And many private companies provide one-purchase-at-a-time access to online records.

DEFINING WHO OWNS REAL ESTATE: ONLINE RECORDS AREN'T ENOUGH

Consider this definition of real estate ownership as you review real estate records:

*Real estate ownership is really defining the various rights and obligations held by numerous and conflicting parties over a piece of property.**

You may now include in your real estate records search Court orders, including probated wills, and other records that affect these rights and obligations over the real property that you are researching.

*I thank Chicago attorney Sherwin D. Abrams for refining with me this real estate ownership definition.

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TABLE OF CONTENTS

	<u>Page</u>
I. <u>ONLINE SEARCHING ADVICE</u>	1
A. Overall Online Searching Advice	1
B. Remember To Search and Think Critically	2
II. <u>TIPS FOR ONLINE ACCESS: REAL ESTATE RECORDS</u>	3
A. What is available?	3
B. How can you find it?	4
C. What should you expect once you find it?	5
D. Conclusion	6
III. <u>TIPS FOR ONLINE ACCESS: COURT RECORDS</u>	6
A. What is available?	6
B. How can your find it?	8
C. What should you expect once you find it?	9
D. Conclusion	10
IV. <u>APPRAISAL DISTRICT RECORDS</u>	10
A. What is available?	10
B. How can you find it?	10
C. What should you expect once you find it?	11
D. Conclusion	12
V. <u>ONLINE FILING OF COURT PLEADINGS: Texas OnLine/TexFile</u>	12
VI. <u>OTHER ONLINE RESOURCES / VITAL RECORDS</u>	13
A. Texas Marriage and Divorce Records	13
B. Birth and Death Records	13

APPENDICES:

- APPENDIX A-1: Summary of Online Real Estate and Court Records
APPENDIX A-2: Texas OnLine – eFiling Courts

I. ONLINE SEARCHING ADVICE

A. OVERALL ONLINE SEARCHING ADVICE

The year is 2013, and for all of us, the courthouse has gone *virtual* – not completely, but in many ways, virtual. Even though we try cases there, you need not travel to the courthouse to obtain records to perform your legal work.

Numerous Texas clerks and several private companies have now made real estate records and court records available online. Records provided online by Texas clerks are generally provided at no charge, although the Dallas County Clerk has now started charging for viewing and printing most online records. The reason: the Clerk must recover the approximate \$4.5 million invested to scan and place online all real estate records from 1846 (sovereignty) to the present.

Some private companies also offer the clerks' records online under a number of different fee structures, including single purchase options. So why pay for records when you can get many of them for free? Answer – because not county clerks have their records online. Therefore, the private companies are providing online records for those middle and smaller sized counties who do not have their real estate records online.

The tips I provide in the following pages are to alert you how to search competently and quickly through these online (virtual) courthouses without leaving your computer:

- Real estate records have been available online in some counties for about 12 years, and in many cases, less than 6 years. Most counties have no online records.
- County clerks over time have changed how you search their online file of real estate documents. Be prepared for more changes to your search methods, search screens, and to the clerk's file (database) over time.
- Numerous County Clerk employees (and contractors) have maintained the real estate records index that you are searching. Be prepared to search this index several times, with different search terms, to locate your target documents. Not all clerks consistently entered onto the records index the name of a party to a document. Thus, search several variations for a name (e.g., you may search "McMullen" as well as "Mc [space] Mullen").
- Save your target documents in Acrobat (PDF) files before you print them, so you will have the option at the end to print truly those target documents for your assignment.
- Read each clerk's FAQs/HELP to learn how to search, especially for wildcard entries (which will return in your search results all documents that meet the other search terms you specify).
- Be aware that however difficult you might find online searching, the options and the results today are better than they were just 6 years ago. The online records options are getting easier to use.

Online court records are a newer resource for legal professionals. Just a few information system companies have setup Texas County Clerks and District Clerks with online court records (i.e., created their case management systems and databases). So even if you spot similar search pages for online court records, be prepared for different search terms and options when searching court records. For example, the Dallas County Clerk and District Clerk will require not only a party's last name, but at least one letter of the party's first name. Most other Texas counties do not require a first name or first name initial. If you search without that first name or first name initial, the result screen tells you to enter it.

Collin County's screen doesn't report this first name omission problem – it merely reports to you “No cases matched your search criteria.” And Collin County's search screen does not clearly tell you to enter a first name or first name initial. Therefore, when you search for records, try several different combination of terms to search by, before you conclude you have obtain all relevant search results (court records, or real estate records).

Also be prepared that some counties will require you to obtain your case number/party information for a case under one search screen/webpage, and then go into a different webpage to search for online court document images (e.g., Dallas County Clerk/District Clerk, which requires you enter their “Public Access to Court Records” webpage).

Finally, wildcard searching allows you to cast a wider net to obtain initial search results. You use a wildcard instead of a letter or number, when you have incomplete information during a search. The trick, however, is to learn what is the wildcard term (it's not always an asterisk), and how to use it. Take a moment to look at the HELP or FAQs screen, so you will correctly use the wildcard term in your searches.

B. REMEMBER TO SEARCH AND THINK CRITICALLY

The best advice that I can share with you is to still think critically and evaluate your search results, before you conclude you have retrieved your relevant real estate and court records. Your online searching is just one step in the legal analysis you provide for the legal team and the client. Now that you are wiser to the limitations of online records, which have been maintained by different clerks over time, you will be better able to sense when you are done obtaining your target documents (and better yet, when you're not done!).

For larger or more complex legal matters, you may instead ask the legal team and client to order a title report, or a full copy of the court file. The added benefit of knowing you have all relevant records in front of you for your legal matter, will offset the added expense of paying a third party for these additional records.

Also, review Appendix A-1 to this article, which is a current summary of what county clerk and district clerk records are available, and on which online databases. Every clerk and company's database is a separate search opportunity to learn. So good luck!

II. TIPS FOR ONLINE ACCESS: REAL ESTATE RECORDS

A. WHAT IS AVAILABLE?

Texas law requires that the county clerk of each Texas county record the county records “exactly, without delay, and in the manner provided by this subtitle[.]” Texas Loc. Govt. Code, Chapter 191.

That said, every county clerk in Texas has created slightly different online retrieval systems for its county records. Your challenge as users of county records is to learn how each clerk has recorded and indexed its records, for your retrieval.

Typical records that county clerks keep are:

- Real estate records, including foreclosure records
- Birth records
- Death records
- Civil, family, probate, and criminal court records (discussed below)
- Assumed names
- UCC filings

Unlike Westlaw and Lexis case searching, which searches the entire text of a case, when you search county real estate records in Texas, you are only searching the index the clerk created for its records. In some counties, you may search over 12 different index fields for your target documents. In other counties, you are limited to searching just the grantor and grantee, lot and block, and perhaps subdivisions and survey names.

TIP: Learn how the clerks in your local counties have indexed their records, and how the search engines (fields) work, so you will obtain accurate search results with each search. The time you spend reading a clerk’s online FAQs/HELP screens will return higher quality search results to you.

Online county real estate records, court records, and vital records first appeared in Texas in the later 1990s. This point in time was coincidental with the proliferation of networked personal computers that could more easily connect into the county clerk’s database servers. One of the first counties in north Texas to provide online real estate records, Denton County, partnered with a for-fee service provider (www.texaslandrecords.com) to offer not just an index, but also images of real estate documents. You could search the index for free to locate your target document. Then you would enter credit card information to purchase (view or print) your records at \$1.00/page. This public-private partnership launched real estate and some other records online, when the virtual courthouse was still in its infancy. This initial start has now lead to additional counties providing online real estate and other records at no charge. Even Denton County has evolved, and today there is no charge to view and print real estate records reaching back to 1854.

Additional counties throughout Texas began offering online county records, first for the

recent past, and ultimately extending back into the mid 1850s. Use caution, though, for relying on any records extending farther back in time. A Denton County Courthouse fire in 1875 reportedly destroyed most county records. Therefore, any recorded documents appearing before 1875 are the result of record holders who brought them back voluntarily to the county clerk for re-recording. And thus, the prudent record searcher will be wise to fires, floods, and other events which may have destroyed county records. How will you know? Ask the clerks. And if you can, ask the clerks who have been on the job for some time.

TIP: To more quickly learn how to navigate online real estate records, visit your local county courthouse first to observe the original paper and microfilm records. While a number of counties have removed the paper records, there is still access to paper records and microfilm in some counties for dates prior to the 1970s. For example, you may search Dallas County real estate records on paper and microfilm for dates prior to 1964.

B. HOW CAN YOU FIND IT?

41 county clerks in Texas now provide some online access to real estate records (that's about 1 in 6 counties). Every county clerk website that offers these online real estate records will provide a search page or search engine. You enter your search terms (e.g., grantor name, or grantee name, etc.), and the search engine provides you your search results.

The strongest recommendation I can make when searching records is to try several spelling variations of the grantor/grantee names, or subdivision names, etc. It is possible the county clerks have misspelled a person's name in the document index. In addition, you will also need to research what were the common list of abbreviations that the clerks used to shorten the second and third names of businesses and entities. A number of counties resorted to using these common abbreviations for names when computers were first installed in the 1960s. Today in the Dallas County Clerk real estate records, if you searched the online real estate records for Josey Park, you would need to search these two words, and the words "Josey Pk". Otherwise, you will miss some documents for this entity.

How do you determine the common abbreviations that have been used? Search the first time on the first name of the business or entity (which the clerks seldom abbreviated). Then look for the second word in the name, and the abbreviation that might have been used during that clerk's time period. You can usually find the correct abbreviation by entering the first letter of the second name, followed by a wildcard after that letter.

Furthermore, because you are searching an index of records, and not the entire text of a document, use open search terms and dates, to cast a wider net on your first search. Do not narrow your search too quickly, such as searching for an executor deed, because the indexed record might have recorded your target document as a general warranty deed.

As with all your legal research for cases, once you determine you are obtaining the same target documents again and again, you will likely have found the relevant search results that you can rely on for your legal matter.

TIP: When substantial monies are involved in a real estate transaction, many attorneys will order a title report or commitment from the title company. In exchange for sometimes paying for a title report or a title commitment, the legal team will have one title company's opinion on what real estate records are affecting the subject property. Many title companies maintain their own plants with real estate records, and also more detailed indexes with details that go beyond what the county clerks maintain on their indexes.

Do not confuse the county clerk maintained real estate records, from the county appraisal district records which also allow searching for property ownership, but with a property address. Good property searchers might search the real estate appraisal records first to obtain an owner (grantee) name, or lot/block description, which they then use to search on the official county real estate records, to obtain their target documents.

C. OTHER:

When you are trying to locate a county clerk's real estate records, you might find the search portal (official website) quicker if you google/search for "Official Public Records," which is synonymous with real estate, business, court, and other vital records.

Once you enter the Official Public Records/Online Records webpage for your particular clerk, determine the range of record dates so you will know what is available online, including recently recorded documents. If the clerk's website does not directly state the "currency" or the range of document dates, search for a common name like "Smith". Then you can usually click at the top of the date column to re-arrange the documents in chronological order, to establish the earliest and latest dates for this online database.

Furthermore, if you must search a common surname like Smith or Jones, add into your search query another detail, like the first name, the year of the document, the lot/block/subdivision name, or another search parameter, so you are not overwhelmed with numerous initial search results.

D. CONCLUSION:

Whether you are searching for records online or in person at the Courthouse, learn how your local county clerks have arranged their records, so you can quickly search through their established databases of records. Search for your target documents several times, with each search casting for a slightly different spelling of the party's name, common abbreviations especially for business names, and wider search terms initially. Then you can narrow down and filter your search results, to obtain the target documents that you are seeking.

III. TIPS FOR ONLINE ACCESS: COURT RECORDS

A. WHAT IS AVAILABLE?

Texas law requires County Clerks and District Court Clerks to maintain various court records

for the courts, the parties, and the public. Appendix A-1 to this article provides a detailed list of which clerks and private companies provide online court records. The two main clerks who maintain online court records in Texas are:

- **COUNTY CLERKS:** Who provide records for,
 - Civil Courts (Justice, Small Claims, County Courts/At Law, Probate Courts, Other Courts)
 - Criminal Courts (Justice, County Courts At Law, District Courts)

- **DISTRICT COURT CLERKS:** Who provide records for,
 - Civil Courts (District Courts, Family Courts, Other Courts, such as Tax Court)
 - Criminal Courts (District Court, Other Courts)

COURT RECORDS: About 40 Texas counties provide online court records, either for the County Clerk or the District Clerk, or both. That means 16% of the 254 counties in Texas have some online access to court records. Most of the counties that do provide online court records provide a limited amount of information (e.g., party names, cause number, and filing date). Other clerks also provide a docket type sheet that includes the filing history, and case disposition, which sometimes is called a “Register of Actions.”

IMAGES OF COURT DOCUMENTS: The best advantage to users of court records would be free access to court pleadings filed in the cases. In the past ten years since court clerks have first started providing online court record access, though, still only a small number of clerks provide any access to court document images. Here is a list of those counties with some online court document images:

- Collin County (only for attorneys, for an annual fee)
- Dallas County
- Denton County (only for case attorneys, for those cases, for a monthly fee)
- Fort Bend County
- Tarrant County (available to anyone, for a monthly fee)
- Travis County

iDOCKET: This Amarillo, Texas, based company provides for a fee online court records for 65 Texas counties (see Appendix A-1 for the names of these counties). And, iDOCKET also provides online court document images from county clerk and/or district clerks for these 12 counties:

- Brazoria
- Brooks
- El Paso
- Hidalgo

- Johnson
- McLennan
- Potter
- Randall
- Starr
- Victoria
- Waller
- Willacy

iDOCKET (www.idocket.com) provides a number of subscription plans, including a basic plan that includes one free search per day. Additional searches begin at about \$6 each. Court document images are available under various subscription plans, also starting at about \$6 per image. When you access court records from iDOCKET, you are connecting to this company's server to retrieve court records which iDOCKET has downloaded from their participating counties. You are not connecting directly to the respective clerks' computers. This means that the information you are downloading has been saved and formatted by this service provider. iDOCKET is another option for accessing court records and document images.

WESTLAW / LexisNexis: Westlaw and Lexis/Nexis and other online services also provide much of the same online real estate, court documents, and other records with fees for each use, or by the number of users, and some fee options for search periods with as short as one day's access.

WHAT CASES ARE NOT AVAILABLE FOR THE PUBLIC AND/OR ONLINE: Be aware that for a number of cases, such as those involving mental illness and certain family law cases, these case records are sealed. You will need a court order proving good cause to unseal these types of cases, and then it will be to access the paper court record (or a printed copy of the clerk's scanned document images) for that one occasion. You may, however, seek the court's approval to unseal court records to correct an error in an earlier case (e.g., motion and order nunc pro tunc), again, for good cause shown.

The county and district clerks in the larger Texas counties are using case management software on their computers to scan in new case filings, and periodically, older cases as well. You may see the clerks using the Odyssey case management system from Tyler Technologies, Inc., based in Dallas. So recognize that when you ask the clerks for case information, they will likely have on their computer screen more information about the case than what you can access online. Don't hesitate to ask your clerk for help in locating the target case records you seek, because the newer case management systems the clerks are using reflect the efforts of many years of court record organization.

B. HOW CAN YOU FIND IT?

Appendix A-1 tells you which County Clerks and District Clerks have online court records. Some of the clerks have changed their web addresses (portals) for their online web page. Therefore, the easiest way to locate the clerk's current online search webpage is to use a search engine like Google or Yahoo, and enter the county name, and terms like "online court records," or "search

online.”

Every Texas county with online court records appears to have created their own basic type of web page to find cases. Some counties have customized their search pages, providing you additional fields (types of information or courts) to search by. Once you locate your target case, you will usually only find a docket-type list of case filings. As an example, in a county such as Dallas County, the web page offers a drop-down menu to display search options for all varieties of cases (civil, criminal, probate, etc.). After you enter your case number or party name and obtain your results, you then click on your target case. Then you will see a list of case filings, court actions, party information, and a disposition of the case. For a few counties, you may further click on a document name to retrieve an image of that document (e.g., Fort Bend County Clerk and District Clerk).

For a few counties, once you have your case number, you can also search for, locate, and read/copy case filings (images of pleadings). For Dallas County, which provides online case record images at no charge, you go to the Dallas County Clerk’s main website (<http://www.dallascounty.org/department/countyclerk/countyclerk.php>), and in the left column, click on “Public Access to Court Documents”. This is a separate court case search engine of county clerk and district clerk filed documents for a case. For the few counties that offer court document images, you will likely be saving the filed documents as PDF files. Note that Dallas County does not yet provide images of Probate Court documents, but does provide images for many other “newer” civil and criminal cases. Travis County, in comparison, does provide civil, probate and criminal case document images.

TIP: A number of Court Clerks are able to view court document images on their computer screen, even if you cannot view these records on your computer. So why the delay in public access to online court records? The County and District Clerks must develop the necessary protections and filters so that sensitive or sealed cases cannot be accessed by the public online. We all realize that once case records are available online, everyone in the world with a computer will be able to read the pleadings that you, your legal team, and others have filed. Therefore, as a separate matter, use caution with your drafting and filing going forward. At some point, your filed court documents will be visible to anyone in the world with a computer.

C. WHAT SHOULD YOU EXPECT ONCE YOU FIND IT?

Once you find your online court docket sheet, or sometimes, online document images, you are not done. Dozens of counties now accept online court filings, which although almost instantaneously are filed with the respective clerk, are not “attached” to a particular case until the county clerk reviews it, and files it/attaches it electronically to the proper case. Delays of several days are, therefore, possible. Shorter delays may be likely with in-person court filings, but papers can also be lost. Just be aware that online filings do take some time to appear on the online docket sheets. You do, however, get credit for filing the document at the date and time you electronically filed it.

Most court records are still kept in paper form, though some counties have shifted to electronic court records. To obtain copies for some cases, therefore, you may still need to obtain them in person or by mail from the clerk (who might be printing them from their electronic copies!).

Expect as county budgets slowly increase for paperless records, more court records will soon be available online. However, at the present, only a handful of Texas counties have court document images available online.

D. CONCLUSION

When looking for online court records, determine if your target county clerk and district clerk provide court records online. If they do not, then in lieu of obtaining these records in person or by mail, consider using one of the fee-for-service record providers such as iDOCKET, Westlaw, LexisNexis, and likely others in the future. While you will also want to search for a party's name using several spelling variations, just to cover the chance for a misspelled name in the court records, be aware of the time periods (currency) of the database you are searching. If the website does not state the time period for cases, search with a common last name, and look for the earliest/latest dates for cases in your search results.

IV. APPRAISAL DISTRICT RECORDS

A. WHAT IS AVAILABLE?

Texas law requires that an appraisal district be established in each Texas county. The appraisal district is responsible for appraising property in the district for ad valorem taxes on property in the district. An appraisal district is a political subdivision of the state. Texas Tax Code, Sec. 6.01.

Each Texas county has, therefore, established an appraisal district for appraisal of property for ad valorem (property) taxes in its county. In the Amarillo area, Potter County and Randall County have combined into one tax appraisal office.

Appraisal district records are not real estate ownership records. However, they help you, the records searcher, because:

- If you have a property address, then by using the appraisal district records, you usually will be able to find the property owner names.
- If you have an owner name, you can more quickly identify an address or other record inputs, to narrow down the search on the county clerk records, to find your target documents (e.g., searching for Smith, in the Rivers subdivision).
- You will also find property valuation and other property information in the appraisal records.

B. HOW CAN YOU FIND IT?

With just about every Texas appraisal district now online, either with their own website or through www.taxnetusa.com, you may search appraisal records on a county by county basis. Use a search engine like Google or Yahoo to search “appraisal district” with the county’s name. You will find the appraisal district’s own web page, or if not, you can do basic property tax searching on www.taxnetusa.com.

When you find your target property in the online tax records, be aware that even though the appraisal district records will report the owner of the property, these records do not evidence ownership of property in Texas. Only the County Clerk’s Official Public Records (real estate records) evidence ownership of real estate in that county.

Many appraisal websites offer you the option to save the appraisal district pages as a PDF file. In the event that the website does not offer you that option, you can also save a webpage as a PDF file, if you “print” the web page to full featured PDF software, such as Adobe Acrobat X, or one of the similar PDF creators.

Appraisal Districts and www.taxnetusa.com WEBSITE: The property ownership information found in the "Appraisal District" websites is usually driven off of the respective county's real estate records. Anticipate the appraisal districts might take up to several weeks to update new owner information on their tax records. Furthermore, the tax records do not evidence ownership of real estate in Texas—they only furnish tax information. To identify which counties have online Appraisal District information, search "www.taxnetusa.com". All 254 counties are listed, though there is a possibility that not every county will have all tax information available online at this time.

TaxNetUSA does provide some property information at no charge for most counties, and even more property information for a fee (daily, annual, etc.).

TaxNetUSA is a good starting point to help determine ownership of properties where the local county clerk does not provide online ownership records.

C. WHAT SHOULD YOU EXPECT ONCE YOU FIND IT?

CROSS-REFERENCE TOOL: Appraisal District Records provide you an important cross-reference tool for online real estate records searching.

TIP: Use the appraisal district records first, when you have partial information regarding a property, before you use the county clerk’s online real estate records.

PROPERTY ADDRESS: When you only have a property address, you locate the property in the appraisal district records first, and obtain the following:

- a. Record owner(s)
- b. Prior owners
- c. Legal description
- d. Prior deed recording information (Volume, page, date)
- e. Physical information on the building and land (size, age, etc.)

SPOUSE NAMES: Many appraisal districts in the past have only indexed the property using the husband's (and not the wife's) name. Therefore, for property owned by a husband and wife, search using the husband's first and last name. Then search with the wife's first and last name.

TIP: When you are searching for a property owned by a person with a common last name, start with the Appraisal District Records first. You will then find additional information on the property, which you can enter into your online Real Estate Records search (for a more limited search). For example, with a name like "John Smith," you will more quickly locate your target document when you enter the subdivision name or the spouse's name in the search fields.

EXAMPLE: In the Dallas County Real Estate Records, there are over 440,000 records indexed to the name "SMITH." To narrow the number of "hits" your search produces especially for common last names, enter the last name, first name, middle initial (no period), and at least one of the following: document volume and/or page, instrument number, lot, block, subdivision name (use any abbreviated name). You can obtain this "additional information" from these appraisal district records.

TIP: Some Appraisal Districts also offer online parcel maps, to help locate the property.

D. CONCLUSION:

While you will certainly obtain property and valuation information from the appraisal district's tax records for a particular property, use this free appraisal district information to obtain faster and more comprehensive searches for targeted real estate documents in the county clerk's real estate records.

V. ONLINE FILING OF COURT PLEADINGS: Texas OnLine (at present), and TexFile (the future)

AT PRESENT:

- A. Texas OnLine (<http://www.texas.gov/en/tx-efiling/Pages/default.aspx>): This State agency provides attorneys eFiling and registration information for eFiling of many types of court pleadings. An attorney will register with Texas OnLine, and also with one of several State approved "Electronic Filing Service Providers (EFSP)." Six companies are currently listed on the Texas Online webpage as approved EFSPs. Some or all of the Courts in 52 Texas counties currently participate in eFiling (see Appendix A-2 for a list of eFiling Courts).
- B. An EFSP will have their own set-up process and fee structure. The attorney files the pleading/document with the EFSP, which then in turn files it with the respective Court.
- C. Because not all Courts in a county are set-up for eFiling for all cases, confirm with your local court first that they will accept your eFiling of documents.

- D. Individual case eFilings fees may total \$10.00 (more or less, plus the usual clerk's filing and service of process fees). Most EFSPs will not charge you monthly maintenance fees for registering for their eFiling service.

THE FUTURE:

- E. TexFile: Starting sometime in 2013, the new eFiling system called TexFile will be created, and will replace the current eFiling system in Texas.

THE TEXAS SUPREME COURT ORDER:

- F. On December 13, 2012, the Texas Supreme Court announced mandatory eFiling of civil cases starting on January 1, 2014, as follows:

1. Texas Supreme Court, and all Texas Courts of Appeal
2. Most Texas trial level courts on a graduated basis by county population from January, 2014, through July, 2016. That part of the order will apply to district courts, statutory county courts, constitutional county courts and statutory probate courts:

¶ January 1, 2014, in counties with a population of 500,000 or more

¶ July 1, 2014, in counties with 200,000 to 499,999

¶ January 1, 2015, in counties with 100,000 to 199,999

¶ July 1, 2015, in counties with 50,000 to 99,999

¶ January 1, 2016, in counties with 20,000 to 49,999

¶ July 1, 2016, in counties with fewer than 20,000.

3. Once courts are subject to mandatory e-filing, attorneys must e-file all documents in civil cases, except documents exempted by Court rules, through TexFile, the portal provided by the Texas Office of Court Administration.
4. Attorneys must not file documents by any alternative electronic means, including by facsimile, except in emergencies.
5. Courts and clerks must not offer attorneys in civil cases any alternative electronic means to file documents.
6. Litigants acting without an attorney may file electronically, but e-filing is not required.

CONCLUSION: Texas now follows 21 other states and the federal courts which have adopted some form of eFiling. Texas has shifted from permissive eFiling of civil cases, to mandatory eFiling of civil cases. Also be prepared for our court clerks to adopt their own procedures for handling your pleadings, once they are eFiled (e.g., the time they will take to electronically attach your pleading to your case).

VI. OTHER ONLINE RESOURCES / VITAL RECORDS

A. Texas Marriage and Divorce Records

The Texas Department of State Health Services reports year-by-year information on marriage license applications and divorces in Texas for the years stated:

1. Marriage License Application Indexes (1966-2010)
<http://www.dshs.state.tx.us/vs/marriagedivorce/mindex.shtm>
2. Divorce Indexes (1968-2010)
<http://www.dshs.state.tx.us/vs/marriagedivorce/dindex.shtm>
3. You click on the year for the marriage or divorce information you seek, and download a zip file. Once you download the zip file, click it open, and you will see a text file with the husband and wife listed, along with age, county, and date of marriage/date of divorce. You are searching the individual marriage records, and divorce records, on a year-by-year basis for each. If you don't know the exact year of marriage or divorce, you will have to download several individual years' of files to locate your target information.
4. Marriage/Divorce: For dates before/after those stated, you will need to contact the individual Texas county for further information.
5. While the Texas Department of State Health Services reports online this marriage and divorce information, the clerks in the respective Texas county hold the official, definitive records for marriage and divorce.

B. Birth and Death Records

Several governmental entities collect and distribute birth and death information. Your research will be first to determine do you wish to obtain the birth and death records from the local custodian of the record, or do you wish to obtain them from Austin (Texas Dept. of State Health Services).

According to the website of the Texas Department of State Health Services,

- “For births within the past 75 years and deaths within the past 25 years, only the immediate family members to the person whose name is on the birth certificate or death certificate are eligible to request a copy.” All those with any other relationship to this person must provide legal documentation, essentially, to establish a legal reason why they should have access to birth and death records.
- “Any of the following relationships by blood or marriage are considered immediate

family members: self, child, parent, brother, sister, grandparent, and spouse.”

- “You may send in a written, notarized statement signed by an immediate family member. The statement must give permission to Texas Vital Statistics to release a certified copy of the certificate to you. The statement must also identify you by your full name, and you must present a photocopy of your picture ID with the notarized statement.”
- While the state website does not elaborate, you might also need to provide other records (especially involving out of state birth or death records) to substantiate your family relationship to the person whose birth or death records you are seeking. For example, to obtain a death certificate for a parent, you might need to provide a copy of your birth certificate with the name of your parent listed on it, to obtain the death certificate for your parent (especially if you were born outside of Texas).
- “Texas Vital Statistics can provide records for births or deaths that were filed in Texas from 1903 to the present. If you need a certificate for an out-of-state birth or death, visit the National Center for Health Statistics website for more information.” (<http://www.cdc.gov/nchs/w2w.htm>). This cdc website offers a comprehensive summary of how and where to obtain vital records throughout all 50 states.
- Fees: Birth certificates \$22 each; death certificates \$20 each, but additional copies ordered at the same time are \$4.00 each.
- The State and County Clerks can issue to anyone a more limited document called a VERIFICATION OF DEATH, and a VERIFICATION OF BIRTH. Generally, just the full name, date of death or birth, and maybe some other identification information will be listed. Each Verification contains the Clerk's raised seal, so you have some ability to admit the document into evidence as a government record.
- For Dallas County reported deaths, the 2nd floor public computers in the Records Building in downtown Dallas will also provide very limited information about an individual's death (but not online). And in some counties, like Denton County, any Texas birth certificate may be purchased, because this clerk uses a remote access system to the State's records dating from 1926 to the present.

APPENDIX A-1

SUMMARY OF AVAILABLE ONLINE REAL ESTATE AND COURT RECORDS

APPENDIX A-1

Updated: 1-9-2013

SUMMARY OF AVAILABLE ONLINE REAL ESTATE & COURT RECORDS

NOTE: USE THE ABBREVIATIONS BELOW TO DETERMINE WHICH WEB SITE OFFERS A PARTICULAR COUNTY'S RECORDS ONLINE.

		No. of Counties With Some			
Abbreviation	Web Site	Records Online	Cost	Types of Records Available	
TLR	TLR - TEXAS LAND RECORDS www.texaslandrecords.com	53 COUNTIES	About \$1.00 / page to print/view.	REAL ESTATE	
TCGR	TCGR - TEXAS COUNTY GOVERNMENT RECORDS tx.countygovernmentrecords.com	30 COUNTIES	About \$1.00 / page to print/view.	REAL ESTATE	
CC	CC - COUNTY CLERK'S WEB SITE	41 COUNTIES	Various web sites, no charge to print/view.	REAL ESTATE	COURT RECORDS
TF	TF - TEXASFILE.COM	160 COUNTIES	www.texasfile.c om provides free name searching, and \$1/page to view/print for most docs. (some counties cap documents at \$4 / docmt).	REAL ESTATE	
DC	DC - DISTRICT CLERK'S WEB SITE	40 COUNTIES	Various web sites, no charge to print/view.		COURT RECORDS
ID	ID - iDOCKET	65 COUNTIES	About \$6 and up, for case search results/images.		COURT RECORDS
See right column, of next pages	COUNTY APPRAISAL DISTRICT RECORDS and/or www.taxnetusa.com	254 COUNTIES	www.taxnetusa. com provides name/address appraisal info for no charge, and additional info at a charge.	TAX RECORDS	

APPENDIX A-1 -- CONTINUED

	<u>COUNTY NAME</u>	ONLINE: REAL ESTATE RECORDS / SOME VITAL RECORDS	ONLINE: COURT RECORDS (FOR SOME / ALL COURTS)	ONLINE: APPRAISAL DISTRICT RECORDS	
				YES	
1	ANDERSON	TF		YES	
2	ANDREWS			YES	
3	ANGELINA	TLR, TF	CC, DC, ID	YES	
4	ARANSAS	TF	ID	YES	
5	ARCHER	TF		YES	
6	ARMSTRONG			YES	
7	ATASCOSA	TF		YES	
8	AUSTIN			YES	
9	BAILEY			YES	
10	BANDERA	TLR, TF	ID	YES	
11	BASTROP	TF	CC, DC	YES	
12	BAYLOR			YES	
13	BEE	TLR, TF	ID	YES	
14	BELL	TLR, TF	DC	YES	
15	BEXAR	CC, TF	ID, DC	YES	
16	BLANCO	TF		YES	
17	BORDEN			YES	
18	BOSQUE	TLR, TF		YES	
19	BOWIE			YES	
20	BRAZORIA	CC, TF	CC, DC, ID	YES	
21	BRAZOS	TLR, TF	CC, DC	YES	
22	BREWSTER			YES	
23	BRISCOE			YES	
24	BROOKS		ID	YES	
25	BROWN		ID	YES	
26	BURLESON	TLR		YES	
27	BURNET	TF	CC, DC	YES	
28	CALDWELL	TF		YES	
29	CALHOUN	TF	ID	YES	
30	CALLAHAN		ID	YES	
31	CAMERON	TLR, TF	ID	YES	
32	CAMP			YES	
33	CARSON	TCGR, TF		YES	
34	CASS	TF		YES	
35	CASTRO	TF		YES	
36	CHAMBERS	CC, TF	DC	YES	
37	CHEROKEE	TLR, TF	ID	YES	
38	CHILDRESS			YES	
39	CLAY			YES	
40	COCHRAN	TLR, TF		YES	
41	COKE	TF		YES	
42	COLEMAN	TLR, TF	ID	YES	
43	COLLIN	CC, TF	CC, DC	YES	
44	COLLINGSWORTH			YES	

APPENDIX A-1 -- CONTINUED

	COUNTY NAME	ONLINE: REAL ESTATE RECORDS / SOME VITAL RECORDS	ONLINE: COURT RECORDS (FOR SOME / ALL COURTS)	ONLINE: APPRAISAL DISTRICT RECORDS	
45	COLORADO	TF		YES	
46	COMAL	TF	CC, DC	YES	
47	COMANCHE	TF		YES	
48	CONCHO			YES	
49	COOKE	TLR, TF		YES	
50	CORYELL	TF	ID	YES	
51	COTTLE			YES	
52	CRANE	TF		YES	
53	CROCKETT			YES	
54	CROSBY			YES	
55	CULBERSON			YES	
56	DALLAM			YES	
57	DALLAS	CC, TF	CC, DC, ID	YES	
58	DAWSON			YES	
59	DEAF SMITH			YES	
60	DELTA			YES	
61	DENTON	TLR, CC, TF	CC, DC	YES	
62	DeWITT	TF		YES	
63	DICKENS			YES	
64	DIMMIT	TF		YES	
65	DONLEY			YES	
66	DUVAL	TLR, TF		YES	
67	EASTLAND	TCGR, TF		YES	
68	ECTOR	TCGR, TF	ID	YES	
69	EDWARDS	TLR, TF		YES	
70	ELLIS	TF		YES	
71	EL PASO	CC	CC, DC, ID	YES	
72	ERATH	TCGR, TF		YES	
73	FALLS			YES	
74	FANNIN	TLR	CC, DC	YES	
75	FAYETTE	TF		YES	
76	FISHER	TF		YES	
77	FLOYD		ID	YES	
78	FOARD			YES	
79	FORT BEND	TF	CC, DC	YES	
80	FRANKLIN	TCGR, TF		YES	
81	FREESTONE	TLR, TF	ID	YES	
82	FRIO	TF		YES	
83	GAINES	TF		YES	
84	GALVESTON	CC, TF	CC, DC	YES	
85	GARZA	TF		YES	
86	GILLESPIE	TF		YES	
87	GLASSCOCK			YES	
88	GOLIAD	TLR, TF		YES	
89	GONZALES	TF		YES	
90	GRAY			YES	
91	GRAYSON	TLR, TF	CC, DC	YES	

APPENDIX A-1 -- CONTINUED

	<u>COUNTY NAME</u>	ONLINE: REAL ESTATE RECORDS / SOME VITAL RECORDS	ONLINE: COURT RECORDS (FOR SOME / ALL COURTS)	ONLINE: APPRAISAL DISTRICT RECORDS	
92	GREGG	CC, TF	CC, DC	YES	
93	GRIMES	TF, TLR		YES	
94	GUADALUPE	TF	CC, DC	YES	
95	HALE	TCGR, TF	ID	YES	
96	HALL			YES	
97	HAMILTON			YES	
98	HANSFORD			YES	
99	HARDEMAN			YES	
100	HARDIN	TF		YES	
101	HARRIS	CC, TF	CC, DC, ID	YES	
102	HARRISON	TCGR, TF		YES	
103	HARTLEY			YES	
104	HASKELL			YES	
105	HAYS	TLR, TF	CC, DC, ID	YES	
106	HEMPHILL			YES	
107	HENDERSON	TCGR, TF	CC, DC	YES	
108	HIDALGO	TLR	CC, DC, ID	YES	
109	HILL	TCGR, TF	ID	YES	
110	HOCKLEY	TF, TLR		YES	
111	HOOD	TCGR, TF		YES	
112	HOPKINS	TF	CC, ID	YES	
113	HOUSTON	TF	ID	YES	
114	HOWARD	TCGR, TF	ID	YES	
115	HUDSPETH			YES	
116	HUNT	TCGR, TF	ID	YES	
117	HUTCHINSON	TLR, TF	ID	YES	
118	IRION			YES	
119	JACK	TF	ID	YES	
120	JACKSON	TF		YES	
121	JASPER	TF		YES	
122	JEFF DAVIS			YES	
123	JEFFERSON	CC, TF	CC, DC	YES	
124	JIM HOGG	TF		YES	
125	JIM WELLS	TLR, TF	ID	YES	
126	JOHNSON	CC, TF	CC, DC, ID	YES	
127	JONES			YES	
128	KARNES	TLR, TF		YES	
129	KAUFMAN	TCGR, TF	CC, DC	YES	
130	KENDALL	TF		YES	
131	KENEDY	TF		YES	
132	KENT			YES	
133	KERR	TF	CC, DC	YES	
134	KIMBLE			YES	
135	KING			YES	
136	KINNEY	TF		YES	
137	KLEBERG	TF	ID	YES	

APPENDIX A-1 -- CONTINUED

	<u>COUNTY NAME</u>	ONLINE: REAL ESTATE RECORDS / SOME VITAL RECORDS	ONLINE: COURT RECORDS (FOR SOME / ALL COURTS)	ONLINE: APPRAISAL DISTRICT RECORDS	
138	KNOX			YES	
139	LAMAR	TCGR, TF	CC, DC	YES	
140	LAMB	TLR		YES	
141	LAMPASAS			YES	
142	LaSALLE	TF		YES	
143	LAVACA	TF		YES	
144	LEE	TF		YES	
145	LEON	TLR, TF		YES	
146	LIBERTY	TF		YES	
147	LIMESTONE	TLR, TF		YES	
148	LIPSCOMB			YES	
149	LIVE OAK	TF, TLR		YES	
150	LLANO			YES	
151	LOVING	TCGR, TF		YES	
152	LUBBOCK	TF		YES	
153	LYNN			YES	
154	McCULLOCH			YES	
155	McLENNAN	CC, TF, TCGR (coming soon)	ID	YES	
156	McMULLEN	TF		YES	
157	MADISON	TLR, TF		YES	
158	MARION	TLR, TF		YES	
159	MARTIN	TF		YES	
160	MASON			YES	
161	MATAGORDA	TLR, TF		YES	
162	MAVERICK		ID	YES	
163	MEDINA	TF	ID	YES	
164	MENARD			YES	
165	MIDLAND	TLR, TF		YES	
166	MILAM	TLR, TF		YES	
167	MILLS			YES	
168	MITCHELL	TF		YES	
169	MONTAGUE	TF		YES	
170	MONTGOMERY	TF	CC, DC, ID	YES	
171	MOORE			YES	
172	MORRIS	TF, TCGR	ID	YES	
173	MOTLEY			YES	
174	NACOGDOCHES	TLR, TF	ID	YES	
175	NAVARRO	TLR, TF	ID	YES	
176	NEWTON	TF		YES	
177	NOLAN			YES	
178	NUECES	CC, TF	CC, DC	YES	
179	OCHILTREE		ID	YES	
180	OLDHAM		ID	YES	
181	ORANGE	TF		YES	
182	PALO PINTO	TCGR, TF		YES	

APPENDIX A-1 -- CONTINUED

	<u>COUNTY NAME</u>	ONLINE: REAL ESTATE RECORDS / SOME VITAL RECORDS	ONLINE: COURT RECORDS (FOR SOME / ALL COURTS)	ONLINE: APPRAISAL DISTRICT RECORDS	
183	PANOLA	TLR, TF		YES	
184	PARKER	TF, TCGR (coming soon)	CC, DC	YES	
185	PARMER		ID	YES	
186	PECOS	TCGR (coming soon)		YES	
187	POLK	TF	ID	YES	
188	POTTER	TLR TCGR, TF	ID	YES	
189	PRESIDIO			YES	
190	RAINS	TF		YES	
191	RANDALL	TCGR, TF	ID	YES	
192	REAGAN			YES	
193	REAL	TF		YES	
194	RED RIVER			YES	
195	REEVES			YES	
196	REFUGIO	TF	ID	YES	
197	ROBERTS			YES	
198	ROBRTSON	TLR, TF		YES	
199	ROCKWALL	TLR, TF	CC, DC	YES	
200	RUNNELS			YES	
201	RUSK	TLR, TF		YES	
202	SABINE	TF		YES	
203	SAN AUGUSTINE	TLR		YES	
204	SAN JACINTO	TF		YES	
205	SAN PATRICIO	TF	ID	YES	
206	SAN SABA			YES	
207	SCHLEICHER			YES	
208	SCURRY	TLR, TF		YES	
209	SHACKELFORD			YES	
210	SHELBY	TF		YES	
211	SHERMAN			YES	
212	SMITH	TLR, TF	CC, DC	YES	
213	SOMERVELL	TF		YES	
214	STARR	TF	ID	YES	
215	STEPHENS	TCGR		YES	
216	STERLING			YES	
217	STONEWALL			YES	
218	SUTTON			YES	
219	SWISHER			YES	
220	TARRANT	CC, TF	CC	YES	
221	TAYLOR	TLR, TF	CC, DC	YES	
222	TERRELL			YES	
223	TERRY			YES	
224	THROCKMORTON			YES	
225	TITUS	TCGR (coming soon)	ID	YES	

APPENDIX A-2

Texas OnLine – eFiling Courts

Participating Courts

Texas Appellate Courts				
The Supreme Court of Texas				
First Court of Appeals of Texas				
Second Court of Appeals of Texas				
Third Court of Appeals of Texas				
Fourth Court of Appeals of Texas				
Fifth Court of Appeals of Texas				
Sixth Court of Appeals of Texas				
Seventh Court of Appeals of Texas				
Eleventh Court of Appeals of Texas				
Fourteenth Court of Appeals of Texas				
County	District Court	County Court	Probate Court	Justice Court
Austin	x			
Bandera	x	x		
Bee	x			
Bell	x			x
Bexar	x			
Brazoria	x	x		
Brazos	x	x		
Brooks	x			
Burnet	x	x		
Cameron	x	x		
Cass	x	x		
Chambers	x			
Collin	x	x		
Comal	x	x		
Dallas	x	x	x	
Denton	x	x	x	
DeWitt	x			
El Paso	x	x	x	x
Fayette	x			
Fort Bend	x	x		x

County	District Court	County Court	Probate Court	Justice Court
Galveston	x	x		
Goliad	x	x		
Grayson	x			
Guadalupe	x			
Hale	x			
Harris	x	x		
Hays	x			x
Henderson	x	x		
Hidalgo	x	x		
Hood		x	x	
Jackson	x			
Johnson	x			x
Kerr	x	x	x	
Liberty	x	x		
Lubbock	x	x		x
McLennan	x			
Midland	x	x		
Moore	x	x		
Nueces	x	x		
Potter	x			
Randall	x	x		x
San Patricio	x			
Smith	x	x		
Tarrant		x	x	x
Tom Green	x			x
Travis	x	x	x	x
Upton	x			
Victoria	x	x		x
Waller	x	x		
Webb	x	x		
Williamson				x
Wilson	x			

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