

Updated Feb. 3, 2021

TAYLOR COUNTY CLERK
CIVIL, PROBATE & Guardianship E-FILING POLICIES

By Mendy Wallace , Chief Deputy Clerk - wallacem@taylorcountytexas.org
Taylor County 's Website: Taylorcountytexas.org

E-Filing became mandatory in Taylor County on January 1, 2015
Civil Case Information Sheets no longer required – repealed 12/11/2018

For technical difficulties within EFileTexas.gov, please call their **filer support phone number at 1-855-839-3453.**

Lead/Standalone Documents: We request that *each* individual document be sent as a Lead/Standalone Document.

For example:

- 1) Application to Probate Will for Letters Testamentary as a Lead/Standalone document
- 2) Image of the Last Will and Testament be another Lead/Standalone document (**Smudge raised notary seal before you scan it**) & if there is a Codicil, please scan it behind the Will.
- 3) Taylor County's New Probate Case Information Sheet (see below) as another Lead/Standalone document

Probate/Guardianship Information is required for new Probates & Guardianships:

Dec. 11, 2018, the Supreme Court of Texas repealed the requirement of a Civil Information Sheet to be filed w/all new cases. In Taylor County we have a Probate/Guardianship Information Sheet that is required on all NEW cases. The information is very important for reports required locally, statewide and nationally. We will enter all information in the computer and then remove the image & shred the document. The sensitive/private information will not be available to the public (the form is available on our website: www.taylorcountytexas.org under County Clerk Forms – listed as *New Probate/Guardianship Information Sheet*).

Filing a New Probate or Guardianship Case: In Probate and Guardianship, when you file a new case the initial filing fee will include certain fees.

Probate of a Will – includes the posted citation & 1st Order (Order Probating Will). **Filing fee is \$340.00** (eff. Date 9/1/2017). Letters Testamentary will include 4 Letters the day of the hearing & Muniment of Title will include 1 certified copy set.

Guardianship fee includes the posted citation, issuance of personal citation to the Ward, Order & 2 Letters of Guardianship. **Filing fee is \$340.00.** If the proposed Ward lives within Taylor

County, you must add the personal service by the Sheriff or Constable - EC 1051.051. Add the **\$75.00** fee in Optional Services. If additional personal citations are needed, you will add the issuance fee and the Sheriff/Constable fee both. You will need to request the issuance of the personal citation(s) in writing – our Request for Issuance form is located on our website.

Temporary Guardianships: \$340.00 – will include the issuance of a personal citation to the Ward, the Order and 1 Temporary Certificate w/a certified copy of the Order attached to the certificate. You will need to add the personal service by Sheriff or Constable (**\$75.00**). Per EC 1251.005, the Attorney Ad Litem must also be personally served, so you will also add the Issuance (**\$4.00**) of a personal citation & the service fee by Sheriff or Constable (**\$75.00**). A copy of the Application must be attached to EACH personal citation, please add the **Non-certified copy fee (\$1.00 per page)**.

For specifics about Temporary Guardianships, please see our website: Procedure for Filing Temporary Guardianships.

Small Estate Affidavits are **\$306.00** (eff. 7/29/2020), which includes the fee for the Order & 1 set of cert. copies of the Affidavit & the Order.

Independent Administration – Intestate Estate – includes the posted citation, Order and 4 Letters the day of the hearing. The **filing fee is \$340.00, PLUS** All 3 Judges will require you to follow TEC 401.003(b) - **Heirship proceedings:** you must follow TEC 202.009 (appoint an attorney ad litem & 202.052 (have a citation by publication issued) – sending an Order Appointing Ad Litem in a separate envelope. Apply additional fees as needed.

***See below for specific filing instructions for an Independent Administration/Intestate.*

Temporary Administration: \$340.00 includes the Order, the posted citation after the Order is signed & 2 Letters of Temporary Administration, which includes a certified copy of the Order attached. Additional Letters will be \$2.00 + the cost of a certified copy of the Order.

New Probate & Guardianship cases do not require the first initial posted citation be in writing.

REQUESTS FOR ISSUANCE:

All personal citations, citations by publication & posted citations (other than the initial postings), must be in writing. If a person to be personally served lives in Taylor County & is not represented by an attorney, the service must be by a Sheriff or Constable (EC 51.051 & 1051.051) - **\$79.00** (issuance & service fee + non-certified copies of Application attached).

Please send the request for issuance as another lead/standalone document & apply appropriate fees. Some citations must have a copy of the pleading attached, please add the Non-certified copy fee (\$1.00). You are welcome to call our office to see if copies will be required w/a certain type of citation.

NEW CIVIL CASES: Filing fee is **\$267.00**. **Writ of Garnishment - \$242.00.**

Request for issuance must be in writing. Add the issuance fee of **\$5.00**. If the Sheriff or Constable will be serving, add **\$75.00** service fee.

All Civil cases are assigned to a Court at Law by the first initial of the DEFENDANT'S last name:
A – K is Court at Law #1 and L – Z is Court at Law #2.

ADDITIONAL INFORMATION

DEADLINE TO SUBMIT A NEW PROBATE OR GUARDIANSHIP CASE:

On Thursdays, all new Probate & Guardianship cases must be submitted by the filer before 3:30 p.m. to allow the clerk & Sheriff's office time to prepare & post the citation. If a new case is submitted after 3:30 p.m., the new case will be filed, but will not be posted until the next day & the hearing week will move up one week (EC 51.053 & 51.104).

Last Will and Testaments: You will e-file an image of the Will (& Codicil scanned behind the Will), the Application & New Probate Case Information Sheet – as 3 lead/standalone documents. Per Texas Rules of Civil Procedure 21(f)(12) you will have **3 working days** after you electronically filed the Application to Probate the Will to file the original Will with the County Clerk. But, please do not send it to our office until after you receive confirmation that the case was accepted/filed of record. If your client does not have the original Will and you will be asking that a **copy of the Will be probated**, we request that you still file that copy with the County Clerk. If the original Will has a raised notary seal, **please smudge it as dark as you can** before you scan it so that it will show up on the image.

If you would like to file a new Probate or Guardianship case in one of the **Courts at Law**, the case assignment is decided by the first initial of the Decedent's or Ward's last name:

A – K is Court at Law #1 and L – Z is Court at Law #2.

ORDERS MUST COME IN SEPARATE ENVELOPES! (*Except probate & guardianship hearing documents: see below*).

For **Non-hearing pleadings:** Orders need to come in a separate envelope as the pleading and the reason being that if the Order is in the same envelope, we would have to send the whole envelope to the Judge for his review. If there is more than one document in one envelope, the E-file system does not allow us to file one document & forward another – if one document is needing to go to the Judge – the **WHOLE** envelope must go and your pleading will not appear filed of record in our court computer system until the Judge approves or denies your Order. If the Judge finds discrepancies with your pleading or Order, wants to consider your Order for a while, or the Judge is sick or on vacation, your pleading will remain in that envelope with the Order and it will not show as filed of record in the court's computer system. Therefore, by filing pleadings & orders in separate envelopes, the pleading will be accepted/**filed** of record and

then the envelope with the Order in it will be forwarded to the Judge for his consideration. The Judge can look at the court's computer system to read your pleading and then consider your Order separately. Once he signs the Order he will return it back to the clerk's office, we will accept/file it of record & a file marked copy will be returned to you through e-file. Even if you think the pleading will be approved and the Order signed immediately, the County Clerk's office will not accept/file it if the Order comes in the same envelope. The pleading will be filed & the Order returned to you.

Any time you submit a Proposed Order in a Probate or Guardianship case, you will need to go to Optional Services & choose *Judge's Signature Fee \$2*.

Pleadings that must sit on record for a waiting period:

When a pleading must sit on record for a waiting period, you will need to send your Order on the day the waiting period expires. For example: Annual Accounts must sit on record for 10 days, therefore you will e-file the Order to us on the 10th day & we will forward it to the Judge. Orders e-filed too soon will be returned to you.

Both Courts at Law Judges require a **Default Judgment** be sent **10 days** after the Motion is filed.

ORDERS APPOINTING GUARDIANS: All Orders appointing a permanent or temporary Guardian cannot address several Orders within that one Order. The Order Appointing Guardian cannot address how much the attorney ad litem will be paid. After the Order Appointing Permanent or Temporary Guardian is approved & signed, the Attorney Ad Litem MUST e-file an Application For Attorney Ad Litem Fees – using the Waiver of Payment (Attorney Ad Litem's are court appointed & therefore do not pay filing fees). The Attorney Ad Litem will then e-file an Order to Pay Attorney Ad Litem Fees in a separate envelope – also using the Waiver of Payment. The Attorney Ad Litem's Order needs to address if their fees will be paid by the Ward's estate OR by Taylor County. *See below how Ad Litem's get paid by Taylor County.*

An Order Appointing Guardian cannot address the Guardian's Monthly Fee – application & order must be e-filed separately.

All Orders Appointing a Successor Guardian need to state the Successor's specific powers – do not just state that the Successor Guardian has the same powers as the previous Guardian – reason being, we must attach a copy of the Order to all Letters of Guardianship, therefore the Order needs to state what powers the Successor Guardian has been granted by the Court.

PROBATE & GUARDIANSHIP HEARINGS:

All documents that need to be presented AT A HEARING can come in one envelope (each document as a lead/standalone document). For example: for a Probate hearing, the **DAY BEFORE the hearing** you will send (in this sequence) the Proof of Death, the Order, and the Oath (also Bond if one is needed) in one envelope, each as a Lead/standalone document. Your Proof and Oath (& Bond) will already have your client's notarized signature on the documents (in the hearing the Judge will read over the Proof & have your client swear to its information as stated in TX. Estates Code 256.157 & he will swear them in & take their Oath). For example: in a new probate case hearing, you will load your documents: First, the Proof of Death, then the

Order Probating the Will & then the Oath; Guardianships would be the Order Appointing the Guardian, then Oath, then the Bond (each as a lead/standalone document).

When we receive the envelope, we will forward it to the appropriate Judge & he will open the envelope at the hearing. He will apply his electronic signature to the Order (& Bond), verify signatures & swear the executor/administrator/guardian in & forward the envelope to the County Clerk's office for all the documents to be filed of record. The clerk's official file date from our office will activate the qualification date on the Oath (not the date the document was notarized). As always, once all qualifying documents are filed, we will be able to prepare Letters Testamentary, Letters of Administration or Letters of Guardianship at that time.

BENCH FILINGS: If you insist you want your client to sign a document in COURT in front of the Judge (i.e the Proof/Oath/Bond), you may present those documents in paper form to the Judge during the hearing. Your client will sign, the Judge will sign, you will bring your paper documents to our office & we will file them & scan them in OR you can e-file them in **our office**, using our portal located at the front of our office. You will NOT be allowed to leave the courthouse with bench filings presented to and/or signed by the Judge. If you want file marked copies to be made for you, \$1.00 per page will be charged to you & PAYMENT IS DUE AT THAT TIME.

Inventory, Appraisalment & List of Claims:

Inventory that will be filed **UNDER** the 90 day deadline OR under the extension granted – choose the filing code of *Inventory* – which has no fee due.

Inventory **OVER** the 90 day deadline OR over the extension granted – choose the Filing Code of *Inventory (filed after the 90th day after the personal rep. has qualified)* – this will assess the fee of \$25. Your Order will be submitted in a separate envelope & when you choose the Filing Code of Proposed Order, then go to Optional Services & choose *Judge Signature (\$2.00)*.

Annual Reports & Annual Accounts:

For Guardianships of the Person AND the Estate – Annual Reports & Annual Accounts must be approved on the same day (for qualification purposes) – Send the 2 Orders in the same envelope, each as a lead/standalone document.

For Guardianships of the Person only: You will send the Annual Report in one envelope and the Order Approving the Ann. Report in a separate envelope. The Order will be forwarded to the Judge immediately.

For Guardianships of the Estate only: You will send the Annual Account in one envelope and then send the Order Approving the Annual Account in a separate envelope **10 days later**.

Final Reports & Final Accounts: For Guardianships of the Person & Estate – when the need arises for a Final Report & Final Account to be filed – they must be on separate forms & preferably filed on the same day, same envelope, each as a lead document. If you file them on separate days, one will not be approved until the other is filed of record. You will submit your Order Approving the Final Account & the Order Approving the Final Report in the same envelope, each as lead/standalone document. If you are not going to submit an Order Closing the Guardianship, please state on the Order Approving the Final Account that it closes the

Guardianship of the ESTATE & on the Order Approving the Final Report that is closes the Guardianship of the PERSON.

FILING A PROBATE OR GUARDIANSHIP OPPOSITION: You will choose the Filing Code of *Counter Claim/Cross Action/Intervention/Third Party/Contest* – the filing fee is \$129.00 (eff. 9/1/17) – that fee will include a posted citation. All Probate & Guardianship Oppositions filed in the County Court will need to be transferred to an At Law Court (see above alphabet assignment).

MOTION FOR NEW TRIAL: The JCIT (Judicial Committee on Information Technology), which sets all the standard e-filing codes for Texas, DOES NOT allow the choice of Motion for New Trial in a probate or guardianship case. Our filing fee for a Motion for New Trial is **\$80** but since you do not have that choice, you will choose **Motion (No Fee)** and then you will have to send us a check **ASAP**. The court will be made aware that the outstanding filing fee is due. Motion for New Trial **IS allowed** to be chosen in a **Civil** case & the filing fee is **\$96.00**.

RETURNED/REJECTED ENVELOPES: **If we return an envelope to you for corrections** – E-filing MAKES US choose one of **their reasons** for returning an envelope – we do not have a choice of Miscellaneous – therefore, sometimes the reason chosen may not be the REAL reason it was returned. However, when we return/reject an envelope, we will **always** give you an explanation as to WHY we are returning it to you. ***Read the explanation, please!*** If you resubmit a returned/rejected filing in a new envelope – **THE COUNTY CLKERK'S OFFICE WILL NOT ROLL BACK THE DOCKET/FILE DATE FOR YOU!** Changing docket/file dates is NOT within the Supreme Court rules – that is a decision made by each individual County and each individual office. Fees will not be accessed until the envelope is accepted/filed.

APPLICATION FOR INDEPENDENT ADMINISTRATION/INTESTATE ESTATES:

According to TX. Estates Code (TEC) 401.003(b), before an Independent Administrator can be appointed there must be an **Heirship** proceeding, Chapter 202 of the EC. Our Judges will REQUIRE you to (1) Get an attorney ad litem appointed, EC 202.009 and (2) request an issuance of a Citation by Publication to Unknown Heirs, EC 202.052. Senate Bill 891, Eff. 6/1/2020 requires the Clerk of the Court to post the Citation by Publication on the OCA website.

You CAN combine your Application for Independent Administration & for Determination of Heirship in to one application or you can send them as two separate applications.

You will e-file in one envelope: (1.) Your Application (2.) New Probate Case Information Sheet (3.) A request for issuance form for a Citation by Publication – add Issue Citation \$4 fee and (4) a Motion to Appoint an Attorney Ad Litem – each as a lead/standalone document. If you want the clerk to issue & send the Citation by Publication directly to the Sheriff to serve, add service fee – otherwise, the Citation by Publication will be emailed to you. The Constable does not serve citations by publication.

After you have received confirmation the case was filed & what your case number is, you will e-file the Order Appointing Attorney Ad Litem & add Judge's Signature Fee \$2.

Hearing documents: you CAN combine the Order to Appoint an Independent Administrator and the Judgment Declaring Heirship in to one Order, but if you decide to submit them separately,

you will need to add the Judge's Signature Fee on ONE of the Orders (we consider one Order is included in your initial filing fee). Please submit your documents in one envelope in this sequence: Proof of Death, the Judgment/Order for Ind. Administration and the Oath – each as a lead/standalone document.

To file for a waiver of court costs the only form allowed is the Supreme Court of Texas form – see our website.

COURT APPOINTED ATTORNEY FEES:

Effective SEPTEMBER 1, 2016, Per Chapter 36, Texas Government Code, the clerk of each Court in the State shall prepare a monthly report on court appointments made and **any fees paid** associated with those appointments of:

ATTORNEY AD LITEM

GUARDIAN AD LITEM

PERMANENT GUARDIAN

TEMPORARY GUARDIAN

MEDIATOR

COMPETENCY EVALUATOR (a physician or psychologist who performs examinations to determine whether an individual is incapacitated or has an intellectual disability for purposes of appointing a guardian for the individual (remember – only if they are COURT APPOINTED)).

EACH APPOINTMENT BE MADE BY SEPARATE WRITTEN ORDER

The clerk shall report on the appointments & fees **in any case, with the following exceptions:**

- A mediation conducted by an **alternative dispute solution** system established under Ch. 152, Civil Practice and Remedies Code
- Information made confidential under **State or Federal Law**, including applicable rules (e.g. judicial bypass cases)
- A Guardian Ad Litem or other person appointed under a program authorized by Sec. 107.031, Family Code (**volunteer advocates in child protection cases**)
- An Attorney Ad Litem, Guardian Ad Litem, Amicus Attorney or Mediator appointed under a **domestic relations office** established under Ch. 203, Family Code

We will also report when that COURT APPOINTED person petitions the Court to **get their fees paid. Fee requests shall be BY SEPARATE WRITTEN ORDER.**

The Orders will be required to:

1. **State what the source of fee will be:** choices are: Applicant, County, Defendant, Estate, General Fund, Insurance, Managing Conservator, Named Person (identified by name); The Parties, Possessory Conservator, Pro Bono, Registry of the Court, State, Trust, Trustee, Unknown

2. Must include **any and all fees** occurring as a result of the appointment. It shall include attorneys' fees and related expenses resulting from the appointment and any compensation and/or fees for serving as fiduciary.
3. State **entire dollar amount** – not just the rate (i.e., \$150 per hour).
4. **If the amount exceeds \$1,000** – the Order must state the **number of hours billed & total dollar amount of expenses billed** to the Court for the work performed by the appointee or the appointee's employees, including paralegals.

Also, please be aware that if your Orders for Payment of Appointed Fees is missing one or more of the above required – the Order will be rejected & returned to you for correction.

As for the Taylor County Clerk – this will be for **Civil, Probate, Guardianship and Mental Commitment cases** where appointments of the above shall be applicable.

Orders for Attorney's Fees Paid by the County: For all court appointed attorney's fees to be paid by the County, **the case must be filed under a *Statement of Inability to Afford Payment of Court Costs*** (Supreme Court of Texas form only).

To notify Jessica Schultz (Purchasing Dpt.) and the Court Administrator re: you getting paid by the County:

You can either **(1)** When e-filing the Order, under the Filing Details tab, you can add Jessica's email and the Court Administrator's email address in E-Serve or in Courtesy Copies, so that when the Order is signed by the Judge, they will receive a file marked copy of the Order & they can follow procedures to get your fees paid **OR (2)** After the Judge signs the Order to pay Attorney Ad Litem fees, you can email, hand deliver or mail the Court Administrator & Jessica a copy of the Order & then they will follow procedures to get your fees paid.

Taylor County Purchasing Dpt. – Jessica Schultz schultzj@taylorcountytexas.org & is located at 600 Pecan St., Abilene, 79602 (325-738-8602).

For **County Court** appointments the Court Administrator is Cindy Sexton sexton@taylorcountytexas.org – 301 Oak St., First Floor, Abilene, TX. 79602 (325-674-1235)

For **Court at Law #1** appointments the Court Administrator is Maria Tolentino tolentim@taylorcountytexas.org – 300 Oak St., Suite 500 – 5th floor (325-674-1323)

For **Court at Law #2** appointments the Court Administrator is Brandi DeRemer presleyb@taylorcountytexas.org – 300 Oak St., Suite 501 – 5th floor (325-674-1208)

YOU ARE RESPONSIBLE TO MAKE SURE A COPY OF THE ORDER IS EITHER EMAILED, HAND DELIVERED OR MAILED TO THE PURCHASING DPT. AND TO THE COURT ADMINISTRATOR TO GET ATTORNEY'S FEES PAID BY THE COUNTY.

GUARDIANSHIP REGISTRATION, TRAINING & CRIMINAL HISTORY BACKGROUND CHECKS – Eff. June 1, 2018 – S.B. 1096

All guardianships in the State of Texas must be **registered** with the Judicial Branch Certification Commission (JBCC) and a proposed guardian may not be appointed unless they complete the **training** required under the new section of Government Code 55.201. A **criminal history background check** must be obtained on all proposed guardians as part of their training & it will

be obtained by the JBCC. The JBCC will forward the criminal history to the County Clerk & the certificate of completion of the training will be given to the Proposed Guardian, which must be filed w/the County Clerk. **The criminal history & certificate of completion must be received by the County Clerk at least 10 days before the hearing.**

Once your client is appointed the Guardian & qualifies (files their Bond & Oath), the Clerk will notify JBCC the Guardian's qualification date and this will complete the registration process. All **pre-existing guardianships** must be registered (only). The JBCC will notify the Clerk when they have registered. Annual Reports & Annual Accounts will NOT be approved until proof of registration is received by the Clerk.

The complete list of the approved Texas Supreme Court Local Rules for Electronic Filings is available at <http://www.txcourts.gov/media/124904/statewide-efiling-rules.pdf> .

Supreme Court rules on e-filing "supersede all local rules and templates on electronic filing, including all county and district court local rules". The Courts' e-filing rules and procedures are a product of the Judicial Committee on Information Technology (the JCIT). This committee has members from the State Bar as well as County & District Clerks.

The Judges from the County Court, Court at Law #1 & Court at Law #2 have adopted these rules concerning electronic filing of documents.

All rules not listed by the Texas Supreme Court are set by each individual County & each individual office.

STATEWIDE STANDARD CASE TYPES, FILING CODES & OPTIONAL SERVICES

PROBATE & GUARDIANSHIP CHOICES

STANDARD COES ARE SET BY THE JCIT (Judicial Committee on Information Technology)

STANDARD CASE TYPES FOR PROBATE & GUARDIANSHIPS:

PROBATE: Base Filing fee \$340.00

Dependent Administration

Independent Administration/Intestate - Must follow TEC 401.003(b)

Letters Testamentary

Muniment of Title

Other Estate Proceedings (choose this for Application for Determination of Heirship w/o Administration – all Heirship proceedings must follow EC 202.009 & 202.05- extra fees do apply – see Optional Services)

Small Estate Affidavits: \$306.00

Ancillary/Foreign Wills: \$306.00

GUARDIANSHIP: Base Filing fee \$340.00

Guardianship – Adult

Guardianship – Minor

Guardianship Management Trust: \$340.00
Sale of Property (for a Minor without Guardianship): \$306.00

STANDARD FILING CODES FOR PROBATE & GUARDIANSHIPS:

NEW CASES:

Affidavit of Indigency
Application
Petition
Request for Issuance
Will/Codicil
Transfer (County Use Only)

SUBSEQUENT FILING CODES IN EXISTING PROBATE & GUARDIANSHIP CASES:

Affidavit of Indigency
Amended Filing - no fee
Annual Account (both Probate & Guardianship) **\$25.00** - Local Gov. code 118.052(2)(B)(iv)
Annual Report - **\$12.00**
Answer/Response – no fee
Application in an Existing Estate – no fee
Application to Sell Personal Property - **\$25.00**
Application to Sell Real Property - **\$25.00**
Bond Approval Fee - **\$2.00**
Claim Against the Estate - **\$10.00**
Counter Claim/Cross Action/Intervention/Third Party/**CONTEST** - **\$129** (this will include a posted citation)
Final Account (both Probate & Guardianship) **\$25.00** - Local Gov. code 118.052(2)(B)(iv)
Final Report - **\$10.00**
Inventory – no fee (if filed UNDER 90 days)
Inventory (filed after the 90th day after the personal rep. has qualified) - **\$25.00**
Motion (No Fee)
Notice – no fee
Oath – no fee
Proposed Order – then go to Optional Services & choose **Judge's Signature Fee \$2**
Request – no fee
Request for Issuance – (add fee in Optional Services)
Will/Codicil – no fee

STANDARD OPTIONAL SERVICES FOR PROBATE & GUARDIANSHIPS

Authenticated Certificate - \$5
Bill of Cost - \$5
Bond Approval Fee - \$2
Copies – Certified - \$5 (for one certificate)

Copies – Exemplified - \$2 (this is for obtaining Judge’s signature on exemplified certificate)
 Copies – \$1 per page (specify on request if you want plain or certified copies)
 Document over 25 pages after 120 days - \$25
 Issue Abstract of Judgment - \$4
 Issue Citation - \$4
 Issue Citation – Certified Mail - \$4
 Issue Citation – Publication - \$4
 Issue Letters Testamentary, Guardianship or Administration - \$2
 Issue Precept - \$4
 Issue Show Cause - \$4
 Issue Subpoena - \$4
 Issue Temporary Restraining Order - \$4
 Judge’s Signature - \$2
 Jury Fee - \$40 (eff. 1/1/2016)
 Service – Certified Mail - \$50
 Service – Sheriff – Personal Citation - \$75
 Service – Sheriff – Posting - \$30
 Service – Sheriff – Subpoena – Less than five days - \$100
 Service – Sheriff – Subpoena – More than five days - \$75

STANDARD CASE TYPES, FILING CODES & OPTIONAL SERVICES
CIVIL CHOICES

STANDARD CASE TYPES FOR CIVIL: Filing Fee \$267.00, unless otherwise specified.

Civil – Contract:

Debt/Contract – Consumer/DTPA
 Debt/Contract – Other
 Landlord/Tenant

Civil – Real Property:

Eminent Domain
 Other Property

Civil – Injury or Damage:

Malpractice - Medical
 Malpractice – Other Professional Liability
 Motor Vehicle Accident
 Other Injury or Damage
 Product Liability – Asbestos/Silica
 Product Liability – Other

Civil – Related to Criminal Matters:

Judgment Nisi
 Non-Disclosure (\$295.00)
 Occupational Driver’s License (\$288.00)

Civil – Other

Administrative **Appeal** (use this one on all appeals)
Bill of Review
Foreign Judgment
Garnishment (\$242.00)
Other Civil

STANDARD FILING CODES FOR CIVIL CASES:

NEW CASES:

Affidavit of Indigency
Application
Petition
Transfer (County Use Only)

SUBSEQUENT FILINGS IN EXISTING CIVIL CASES:

Affidavit of Indigency
Amended Filing
Answer/Response
Bond
Counter Claim/Cross Action/Intervention/Third Party/Contest - **\$96**
Filing of Action other than Original
Motion (No Fee)
Motion for New Trial - **\$96**
Notice
Notice of Appeal
Proposed Order (no fee due for Civil cases)
Request

STANDARD OPTIONAL SERVICES FOR CIVIL CASES:

Authenticated Certificate - \$2
Certificate Issuance - \$5
Certificate of No Appeal - \$5
Copies – \$1 per page (specify on request if you want plain or certified copies)
Issue Abstract of Judgment - \$5
Issue Citation - \$5
Issue Citation – Certified Mail - \$5
Issue Citation – Publication - #5
Issue Citation – Secretary of State - \$10
Issue Order of Sale - \$5
Issue Precept - \$5
Issue Show Cause - \$5
Issue Subpoena - \$5
Issue Temporary Restraining Order - \$5
Issue Writ - \$5
Issue Writ of Attachment - \$5

Issue Writ of Execution - \$5
Issue Writ of Garnishment - \$5
Issue Writ of Scire Facias - \$5
Issue Writ of Sequestration - \$5
Jury Fee - \$40 (eff. 1/1/2016)
Service – Certified Mail - \$70
Service – Sheriff – Order of Sale - \$200
Service – Sheriff – Personal Service - \$75
Service – Sheriff – Subpoena – Less than five days - \$100
Service – Sheriff – Subpoena – More than five days - \$75
Service – Sheriff – Writ - \$125
Service – Sheriff – Writ of Attachment - \$150
Service – Sheriff – Writ of Execution - \$175
Service – Sheriff – Writ of Garnishment - \$125
Service – Sheriff – Writ of Possession - \$125
Service – Sheriff – Writ of Possession Mobile/Motor Home - \$500
Service – Sheriff – Other - \$70

Please feel free to call our office at 325-674-1202 with questions before you e-file and we will help you in any way we can.

***Thank you,
Mendy Wallace
Chief Deputy Clerk***