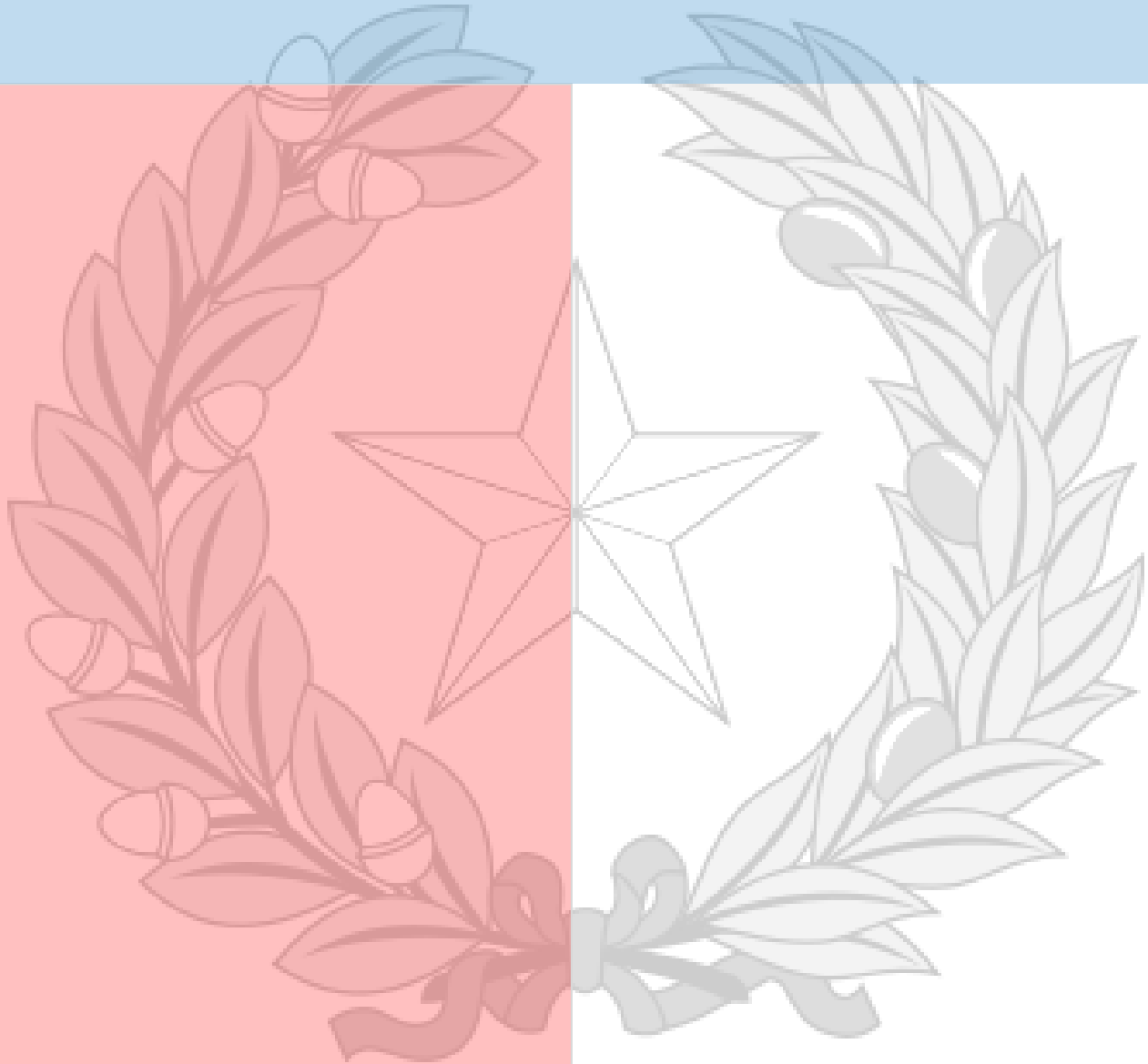


TEXAS YOUNG LAWYERS ASSOCIATION

PRO SE LITIGANT GUIDE





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Texas Young Lawyers Association

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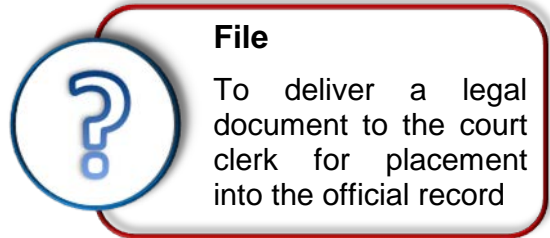
This document contains the following excerpt from the Texas Young Lawyers Association Pro Se Litigant guide, which has been slightly modified to meet the requirements of the Supreme Court of Texas:

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Electronic Filing	34
Paper Filing	44
Glossary of Terms.....	60
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To view the full guide in its original form, visit the Self-Help Resources page of any one of the fourteen Texas Courts of Appeals:
<http://www.txcourts.gov/>

HOW TO FILE A DOCUMENT

Filing a document with the court clerk is the only way the court is able to consider the document when making its decision. There are two main ways *pro se* litigants can file documents with the court. The first way is to file a document either in person or by mail. The second way is to file a document electronically if the litigant has access to a computer and the internet. The following two sections will explain what is required in both of these methods.



Electronic Filing

While *pro se* litigants certainly have the option of filing a document in person, *pro se* litigants can also file documents electronically if it is more convenient or if the litigant must meet a deadline to file a document and the clerk's office is already closed. A court will consider any document timely filed by a litigant if it is filed electronically before midnight on the date of filing. This deadline gives a litigant an additional 7 hours to file from the 5:00 P.M. deadline for documents filed in person. Electronic filing also allows for faster receipt and transmission of documents and ease of review by the appellate court.

When choosing to file a document online, litigants should first go to www.efiletexas.gov. Currently www.efiletexas.gov only supports versions 8, 9, and 10 of Internet Explorer and the latest version of Mozilla Firefox; no other web browsers are currently supported. If problems occur using a particular browser with www.efiletexas.gov, try downloading Mozilla Firefox to correct this issue. Additionally, if Microsoft Silverlight is not installed

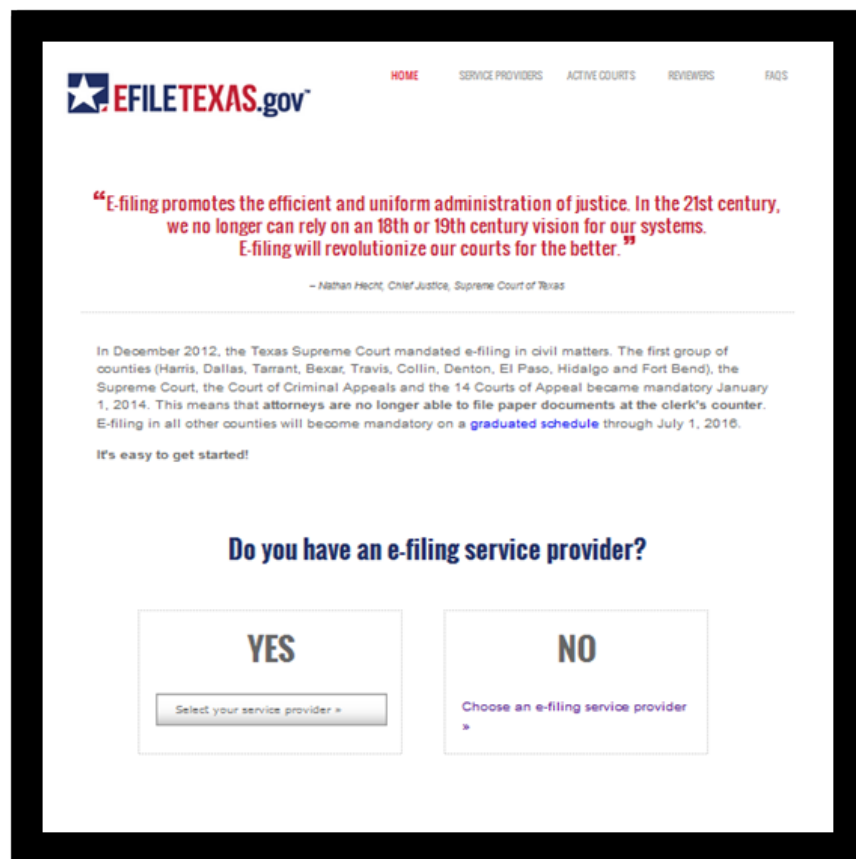
on the computer, www.efiletexas.gov will require this be installed prior to registration and will prompt a user to install it before proceeding. To install Microsoft Silverlight, follow the onscreen steps after picking EFileTexasCourts in Step 2: Service Providers.

The steps below will walk litigants from access and registration with www.efiletexas.gov to final submission of their document. If any problems arise during the submission process, visit the EFileTexasCourts help guide at

http://content.tylerhost.net/docs/eFileTexas/help/eFile.TXCourts.gov_User%20Guide.pdf

Step 1: www.efiletexas.gov.

Open up Internet Explorer or Mozilla Firefox and go to www.efiletexas.gov.



When the page above appears: (1) select YES and go to Step 4: Workspace, if you have previously filed a document electronically or previously registered with the Texas court system to file a document electronically, or (2) Select NO, if this is your first time filing a document with the Texas court system and proceed to Step 2: Service Providers.

Step 2: Service Providers.

After selecting NO, you should arrive at this page.

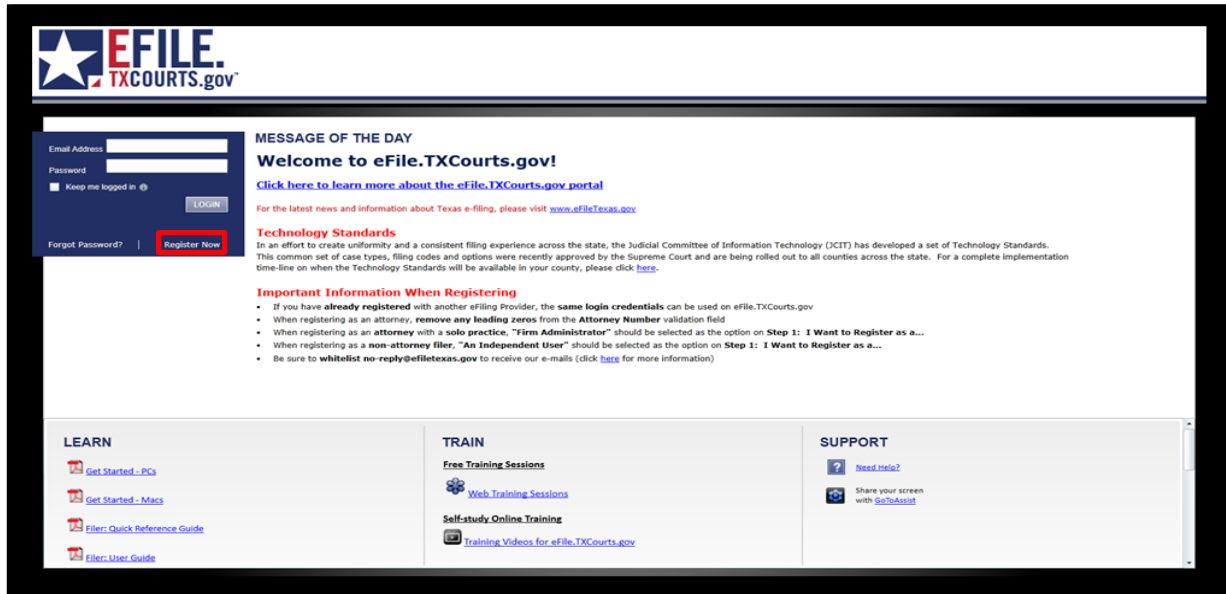
	 EFILE State Provided E-SP eFile.TXCourts.gov	 Court File America	 filetime	 iDocket	 ONE LEGAL ONLINE COURT SERVICES	 eLawServices	 File & Serve Xpress	 MyFileRunner	 ProDoc eFiling
Free Option	✔	✔	✔	✔	✔	✘	✘	✘	✘
Price Structure	Free	Free Plan – Basic e-filing of text searchable PDF documents Fee Plan – Above e-filing with credit account extended, customized invoicing, and reports No contract required or other fees	Free plan – basic e-filing functions without the ability to submit word processor files and no fax service \$1.99 plan – all basic functions plus upload word processor files and free fax service \$3.99 plan – all the above features plus monthly invoicing for volume filers There is no contract, no registration fee, and no other hidden fees. You only pay when you submit e-filings and/or eServices.	Free for a Limited Time	Free Solution – Includes unlimited eFile and eService with no contract to sign, conform copies, access to comprehensive resource center, document conversion, industry best workflow Premium, Simplified Billing Solution (\$1.95 limited offer) Includes all features offered under the free plan plus: one invoice detailing all court and provider fees, all court fees advanced (bill fees are charged to One Legal's credit card), concierge service, local training and account support, MCLE accredited courses.	We offer a plan for everyone. A fully managed plan for the pro se or occasional filer, flat fee services for indigent filers, a competitive per transaction fee for law practices and legal service organizations or for large filers choose one of our low cost monthly plans.	Transaction and subscription-based pricing for e-filing/serving documents. Includes unlimited access to a firm's sent and received documents and case info. Transactional or subscription base pricing for Optional Services based on a firm's needs.	Flat fee of \$8.00 per filing, excluding state and court fees and taxes. Free eService – Documents electronically served to specified attorneys at same time as court filing. Free online training – Classes for individuals or groups. Free Registration eConcierge – Registers and manages your CO and Passwords. Free eFiling Concierge – MyFileRunner professional services can submit your filings for you.	\$3.00 per submission. A single submission may include multiple filings. All features available to all filers, no tiered services.
Support Features	Self-Service Support Getting Started: Hosted Webinars Training Videos Phone: 855-830-3453 Hours: 7 a.m. – 9 p.m., Mon - Fri Call Center Locations: Plano & Longview Live Chat: Yes Email: support@eFileTexas.gov	Training Guides on Website Online Support Phone: 712-653-0195 Hours: 7:30 a.m. – 7:00 p.m., Mon - Fri Call Center Location: Houston Live Chat: Yes Email: support@courtfileramerica.com	Hosted Training Webinars Training Videos Webinar Guides Phone: 800-558-1233 Hours: 24 x 7 Call Center Location: San Antonio Live Chat: Yes Email: support@filetime.com Website: www.filetime.com	Online Support Getting Started: Training Videos Phone: 1-800-Docket.com Hours: 24 x 7 Call Center Location: Amarillo & El Paso Live Chat: No Email: support@idocket.com	Customer Support Training Information Phone: 800-938-8815 Hours: 8 a.m. - 7:30 p.m., Mon - Fri Call Center Location: U.S. based live customer support Live Chat: No Email: support@onelegal.com	Phone: 800-943-4095 Hours: 9 a.m. – 12:00 a.m. x 7 Call Center Location: Irving Live Chat: No Email: info@elawservices.com	Phone: 877-433-4533 Hours: 24 x 7 Call Center Location: Irving Live Chat: Yes Email: info@fileandserve.com	Getting Started: Demo Training Options Training Videos Hosted Webinars Downloadable Materials Phone: 800-903-8110 or 512-206-7182 Hours: 24 x 7 + 365 Call Center Location: Austin Live Chat: Yes Email: support@myfilerunner.com	Getting Started: Training Options Training Videos Hosted Webinars Phone: 800-758-6418 Hours: 8 a.m. – 7 p.m. Call Center Locations: Englewood, TX & Universal City, Texas Live Chat: No Email: efilemanager@thompsonreuters.com

This page lists all of the services that are compatible with www.efiletexas.gov. Five of the services are free, and the other four services require a subscription fee. Regardless of the cost, the Texas court system has approved all of the services listed to file documents electronically. The rest of this guide depicts the services provided by EFileTexasCourts. If a different service provider is selected and problems are encountered, visit the help page for additional information on how to resolve this

problem.

Step 3: Registration.

Once you have clicked on the EFileTexasCourts link, you should be directed to this page.



If the website does not automatically redirect to this page and instead gives an error, try one of the troubleshooting steps on the help page.

This is the logon page and can be reached directly by going to <http://efile.txcourts.gov>.

From this page, you can logon if previously registered with EFileTexasCourts or start a new registration if this is your first time. To start a new registration, click the “Register Now” link, in the login box. The following five screens should appear in order after clicking the “Register Now” link.

eFileTexas Registration Step 1 of 5

I want to Register as a

Firm Administrator

Each firm must have a designated person to administer the E-Filing system. The Administrator will register the firm and be responsible for setting up and maintaining all users, credit card accounts, and attorneys at the firm.

User with an Existing Firm

Your firm has already been registered with the E-Filing system. You must know your firm ID and have been given permission to set up your account by your Firm Administrator. The Firm ID serves as the common identifier for all users within your firm.

An Independent User

You are a single user, not associated with or represented by a law firm.

All required fields are indicated by an "*". There is no registration fee for eFileTexas.

eFileTexas Registration Step 2 of 5

and Your Users will immediately discontinue use of eFileTexas.gov.

12.5 Severability. This Agreement will be enforced to the fullest extent permitted by applicable law. If any provision of this Agreement is held to be invalid or unenforceable to any extent, then (a) such provision will be interpreted, construed and reformed to the extent reasonably required to render the same valid, enforceable and consistent with the original intent underlying such provision and (b) such invalidity or unenforceability will not affect any other provision of this Agreement.

12.6 Questions and Contact Information. General questions or comments about the eFileTexas.gov Internet Site or eFileTexas.gov may be directed to eFileTexas.gov's Customer Service by e-mail at support@eFileTexas.gov.com or by postal mail at Tyler Technologies, Inc., 5101 Tennyson Parkway, Plano, TX 75024.

12.7 Applicable Law, Jurisdiction and Venue. This Agreement will be interpreted, construed and enforced in all respects in accordance with the laws of the State of Texas, U.S.A., without reference to its choice of law principles to the contrary. The 1980 UN Convention on Contracts for the International Sale of Goods or its successor will not apply to this Agreement.

12.8 Entire Agreement. This Agreement constitutes the entire agreement of the parties with respect to the subject matter of this Agreement, and this Agreement replaces and supersedes any prior verbal understandings, written communications or representations on the subject matter hereof.

I Agree

In Step 1 of the registration process, pick “An Independent User,” as you will not be affiliated with a law firm. During Step 2, read the terms of agreement and click “I Agree.”

eFileTexas Registration Step 3 of 5

Contact Information

Country*
United States of Ame

Address Line 1*

Address Line 2

City*

State* Zip Code*

Phone Number*

eFileTexas Registration Step 4 of 5

User Information

First Name* MI

Last Name*

Email Address*

Verify Email Address*

Password*
Your password is case sensitive and must be at least six characters.

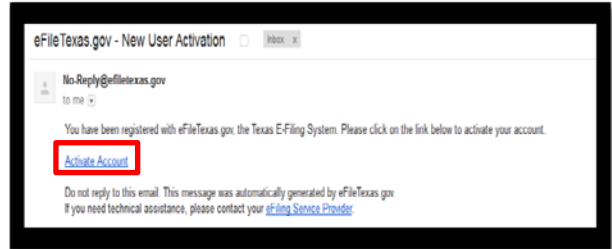
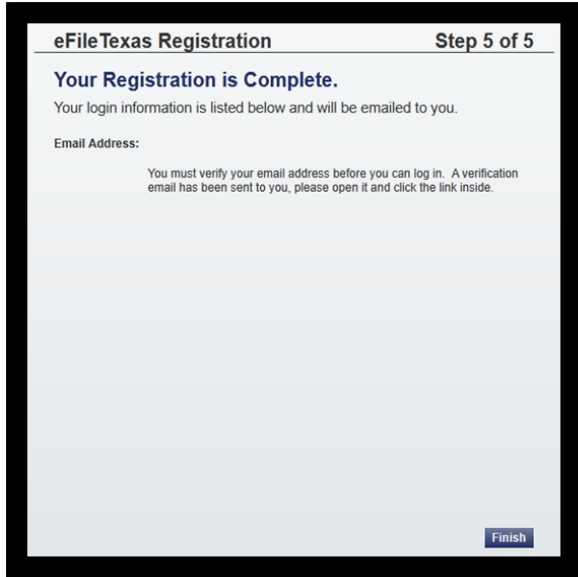
Verify Password*

Compose a simple question and answer pair which will allow you to restore your password, should you forget it. Please choose a simple, specific question that can only be answered by you. Example: High School Mascot or The Name of My First Pet.

Security Question*

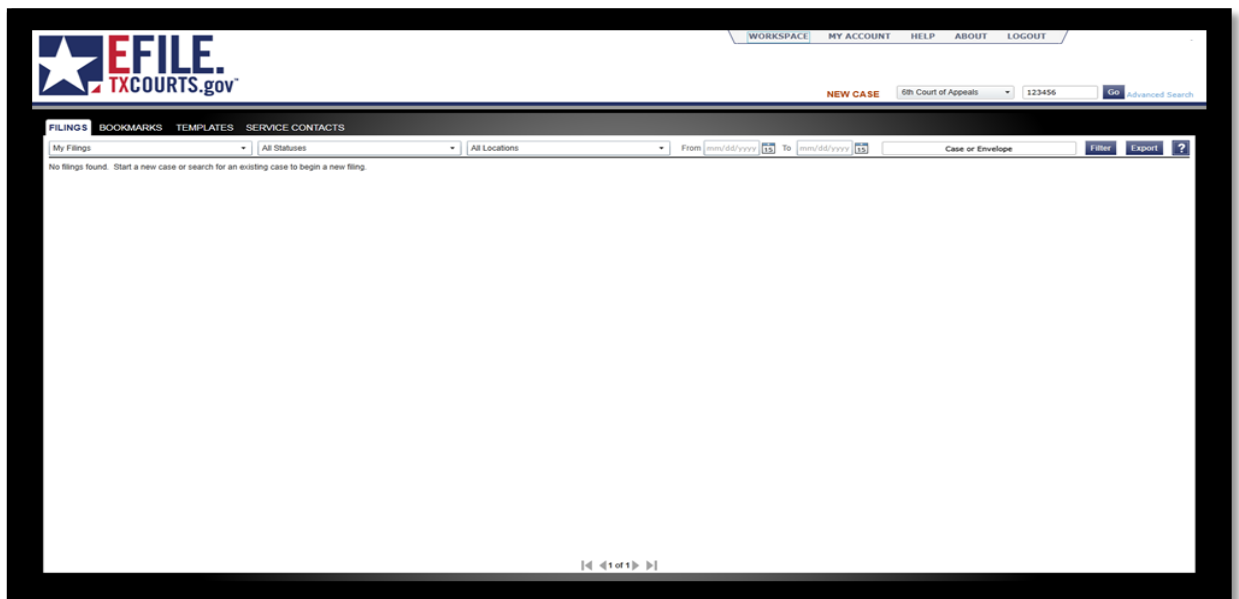
Security Answer*

In Step 3 and 4, fill out any of the information that is marked with a *. Ensure that the e-mail address you provide is valid, as a conformation e-mail will be sent to this address.



Once you receive the confirmation e-mail click “Activate Account” to finish the registration process. Upon activation of your account go back to the EFileTexasCourts webpage at <http://efile.txcourts.gov> and login with your e-mail address and password that you provided in Step 4 of the registration process.

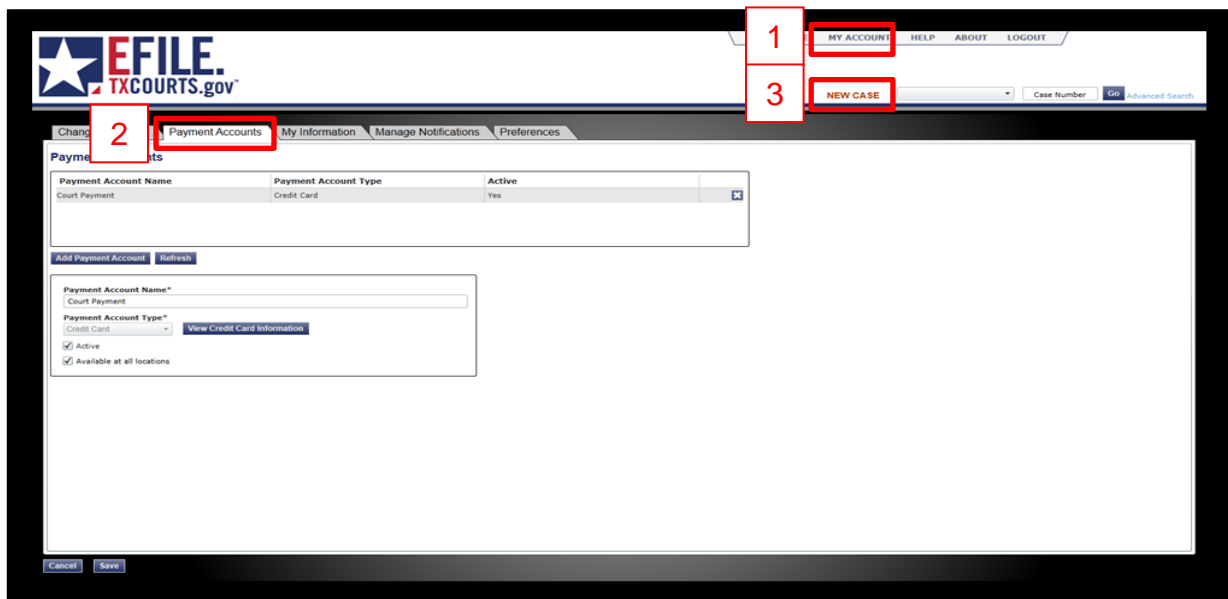
Step 4: Workspace.



Once you have successfully logged in you should be redirected towards the page above. This is your workspace and allows you to manage any case that you have filed with the courts or search for cases that you are a party to. In addition, the workspace will let you start the process of appealing a new case if the other party has not already submitted a notice of appeal. Finally, once you have set up a case this is where you will come in order to submit any additional documents, like briefs or motions.

Step 5: Payment Account.

Before anything can be filed with the Texas court system a payment account must be set up with the website. This can be done by clicking “My Account” followed by the “Payment Accounts” tab on the next page; these actions are marked by the numbers 1 and 2 in the pictures below. Completing these actions will bring you to the page below.

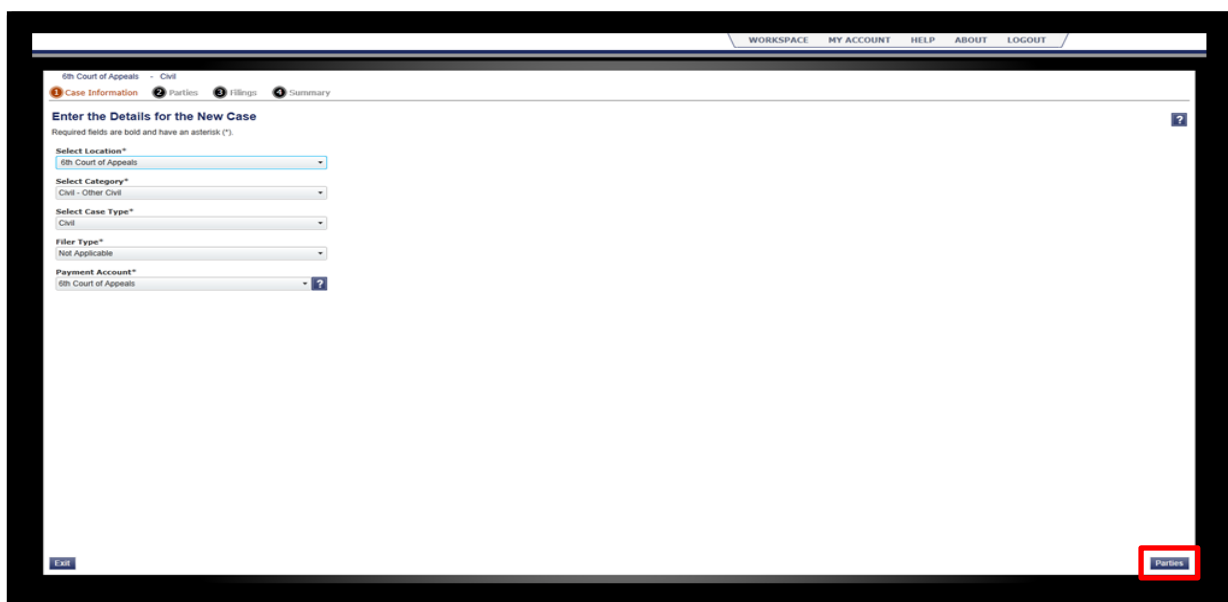


Fill out the required information and provide a valid credit card to set up a payment account. If you believe you are indigent, this information should still be provided.

However, you will not be charged for certain court costs if your Affidavit of Indigence is approved. There is no filing fee associated with filing an Affidavit of Indigence.

Step 6: New Case Details.

Once you have finished setting up a payment account you can start a new case. To do this, you should select the “New Case” button, marked by the number 3 in the picture above. Clicking “New Case” will take you to the page seen in the picture below.



The screenshot shows a web application interface for the 6th Court of Appeals. At the top, there is a navigation bar with links for WORKSPACE, MY ACCOUNT, HELP, ABOUT, and LOGOUT. Below this, a breadcrumb trail indicates the current location: 6th Court of Appeals > Civil. The main content area is titled "Enter the Details for the New Case" and includes a sub-header "Required fields are bold and have an asterisk (*)". The form contains several dropdown menus: "Select Location*" (set to 6th Court of Appeals), "Select Category*" (set to Civil - Other Civil), "Select Case Type*" (set to Civil), "Filer Type*" (set to Not Applicable), and "Payment Account*" (set to 6th Court of Appeals). A "Next" button is located at the bottom left, and a "Previous" button is at the bottom right, both highlighted with red boxes.

On this page, you should fill in the location that the document is to be filed with, either the trial court or the Court of Appeals. Following this, select whether your case is criminal or civil. If applicable, select the specific type of case that you are filing (typically this box will only be found with cases that are filed with a trial court). The other two boxes, Filer Type and Payment Account, should automatically fill in. If they do not, select the appropriate option. Once all of these boxes are filled in, click the “Parties” button to move on to the next page.

Step 7: Parties.

The next page that you will see is the parties page. This page allows you to enter the appropriate information for all of the parties in the lawsuit. This page also allows for the designation of a party as *pro se*. Additionally, this page requires you designate whether the party is Appellant or Appellee. If the wrong designation is given, the page will prompt you to correct it.

The screenshot shows a web interface for entering party details. At the top, there are navigation tabs: 'Case Information', 'Parties', 'Filings', and 'Summary'. The main heading is 'Enter the Details for the Parties Involved in this Case'. Below this is a table with two columns: 'Party Type' and 'Name'. The first row shows 'Appellant' and 'Pro Se'. Below the table is a red-bordered box containing an 'ADD PARTY' button and a checkbox labeled 'I am this party'. The form below includes a 'Party Type' dropdown menu, radio buttons for 'Person' (checked) and 'Business', and an 'Attorney' dropdown menu. There are input fields for 'First Name*', 'Middle', and 'Last Name*'. Below these are fields for 'Country' (set to 'United States of America'), 'Address Line 1', 'Address Line 2', 'City', 'State', 'Zip Code', and 'Phone'. At the bottom left, there is a 'Case Information' button, and at the bottom right, there is a 'Filings' button.

To add in the information of additional or adverse parties, simply click the “Add Party” button once you have finished filling out the information for the current party. If you are filling the information out yourself, clicking the “I am the party” box will fill in all of the information from the information you supplied during registration. If you need to correct any of this information, simply select the appropriate box and edit the information. Clicking “Filings” in the lower right hand corner will take you to the next page.

Step 8: Filings.

You will now come to the filings page. This page will allow you to file a single document or multiple documents at the same time. For example, one notice of appeal can be filed, or a notice of appeal and an affidavit of indigence can be filed simultaneously. To file multiple documents, fill in all of the appropriate information for the first document, attach the document as the lead document, and click the “Add Another Filing” box to attach the next document. This can be done multiple times to file as many documents as you require. When attaching documents as the lead document, ensure that the file is saved as a .pdf file or it will not upload to the system.

6th Court of Appeals - Civil

WORKSPACE MY ACCOUNT HELP ABOUT LOGOUT

1 Case Information 2 Parties 3 Filings 4 Summary

Enter Filing Details

[Add Another Filing](#)

Select Filing Code*
Brief Not Requesting Oral Argument EFile Service

Filing Description
Appellants Brief in Support of Appeal

Reference Number
14-00001

Documents

Lead Document*
Appellate Brief 1259.pdf 251.2 kb

Description*
Appellate Brief 1259.pdf

Security*
PUBLIC

Attachments

Filing Comments

Courtesy Copies

Fees

Brief Not Requesting Oral Argument	Filing Fee	\$0.00
	Total this Filing	\$0.00
Case Initiation Fee		\$0.00
	Envelope Total	\$0.00

Payment

Payment Account*
6th Court of Appeals

Filer Type*
Not Applicable

Party Responsible for Fees*

[Parties](#) [Summary](#)

This page will also keep a running total of all of the costs that are associated with your current filing and will detail where each fee comes from. When you have completed adding all the documents for the particular filing click the “Summary” button to proceed.

Step 9: Summary

The summary page gives a summary of all of the information and documents you have added to the file over the last three webpages, as well as a total cost of the filing. You should review this page to ensure that all of the information is accurate, correct, and the appropriate documents are attached. Once you have reviewed all of the information, click the “Submit” button to file everything with the court.

The screenshot displays the 'Envelope and Filing Summary' page for a case in the 6th Court of Appeals. The page is divided into several sections:

- Case Information:** Location: 6th Court of Appeals; Case Category: Civil - Other Civil; Case Type: Civil; Date Filed: [blank]; Filing Attorney: [blank]; Payment Account: 6th Court of Appeals.
- Parties:** A table with columns: Party Type, Name, Address, Phone, Attorney. One entry is listed: Appellant, [blank], [blank], [blank], Pro Se.
- Filings:** A table with columns: Filing Code, Filing Description, Reference Number, Filing Type. One entry is listed: Brief Not Requesting Oral Argument, Appellants Brief in Support of Appeal, 14-00001, EFile. Below this is a table for documents: Lead Document, File Name: Appellate Brief 1259.pdf, Status: OK, Security: PUBLIC.
- Fees:** A table showing: Brief Not Requesting Oral Argument, Filing Fee: \$0.00, Total this Filing: \$0.00, Case Initiation Fee: \$0.00, Envelope Total: \$0.00.
- Payment:** Payment Account*: 6th Court of Appeals; Filer Type*: Not Applicable; Party Responsible for Fees*: [blank].

A 'Submit' button is located in the bottom right corner of the page, highlighted with a red box.

Once you have submitted the file you can return to it anytime by clicking the case in your workspace. Once in the case, additional files or parties can be added.

Paper Filing

The other option to file documents is to file a paper copy in person or through the mail. This method may be more familiar to some *pro se* litigants. To file in person simply bring the appropriate document, copies, and filing fee to the clerk’s office in the courthouse. However, filing in person does have some drawbacks including printing the

document in the correct format and meeting a 5:00 P.M. submission time on the day of the deadline.

When filing the document in person make sure that it complies with the following rules:

- Print only one side of the page;
- The paper on which a document is printed should be 8.5 by 11 inches, and white;
- The document should have 1-inch margins;
- The text should be double-spaced;
- A document should be produced in size 14 of a normal font (i.e. Calibri, Cambria, Garamond, Times New Roman, etc.);
- A document does not need to be bound or covered for filing in the Supreme Court of Texas;
- The front cover page of a document should contain the following:
 - Case style – *Petitioner v. Respondent*. The last name of each party would be substituted for each word respectively;
 - Case number (if one has been assigned, if not, leave space blank);
 - Name of the court of appeals that decided your case, and the number of your case in that court;
 - Name of the trial court that decided your case (court name; i.e., district or county, and number), the number of the case in that court, and the name of the trial judge;
 - Title of the document being filed (i.e., Petition for Review);

○ The following for the lead party responsible for the filing:

- Name
- Mailing address;
- Telephone number;
- Fax number (if any); and
- E-mail address.

GLOSSARY OF TERMS

Affidavit

A voluntary declaration of facts written down and sworn to by the declarant before an officer authorized to administer oaths, such as a notary public.

Appeal

To seek review (from a lower court's decision) by a higher court.

Appellant

The party that is seeking review of the trial court's decision by bringing the appeal.

Appellee

The party that is adverse to the appellant who will argue that the trial court's judgment is proper.

Appendix

Additional documents attached to the end of a brief or motion.

Argument

The section of a brief that attempts to persuade the court. This section applies legal authority to the facts of the case to support the party's position.

Brief

A statement containing legal arguments. On appeal, a document prepared as the basis for arguing the case, consisting of legal and factual arguments.

Caption

The introductory part of a court document that states the names of the parties, the name of the court, the docket or file number, and a description of the document.

Case/Cause Name

The name assigned to a case. Generally in the form of *Plaintiff v. Defendant*. E.g., *Doe v. The State of Texas*.

Case/Cause Number

The number assigned to a lawsuit when it is filed with the clerk of the court. Each case has a distinct number that distinguishes it from all other suits filed within the court's jurisdiction.

Certificate of Service

A section of a motion or pleading filed with the court in which the filing party certifies to the court that a copy has been mailed to or otherwise served on all parties in the lawsuit.

Citation (Cite)

A reference to a legal precedent or authority, such as a case, statute, or treatise, which either affirms or challenges a given position. Cites are generally found in the form, *Plaintiff v. Defendant*, 123 S.W.3d 456 (Tex. 2007).

Civil Case

A case brought between two citizens as opposed to being brought by a governmental entity.

Docket

A formal record in which a judge or court clerk briefly notes all the proceedings and filings in a court case.

File

To deliver a legal document to the court clerk or record custodian for placement into the official record.

Filing Deadline

The date a document must be received by the court.

Findings of Fact and Conclusions of Law

A trial judge's findings in a bench trial or findings entered by a judge in ruling on certain trial motions.

Indigent

A party who could not pay even if they were to make a good faith effort.

Judgment

A court's final decision of the rights and obligation of the parties.

Jurisdiction

A court's power to decide a case or issue a decree.

Legal Authority

A legal source, such as a case, statute, or treatise that is cited in support of a position.

Motion

A written or oral application requesting a court to make a specified ruling or order.

Notice of Appeal

A document filed with a court and served on other parties, stating an intention to appeal a trial court's judgment or order.

Opinion

A court's written statement explaining its decision in a given case.

Oral Argument

An advocate's spoken presentation before an appellate court supporting or opposing the legal relief at issue.

Original (Original Document)

A document with the original signature from which copies are made. Generally, the first document filed with the court.

Petitioner

The party petitioning the Supreme Court of Texas or the Court of Criminal Appeals of Texas for review.

Pro Bono

Work involving uncompensated legal services performed especially for the public good.

Pro Se

A Latin phrase meaning "for yourself." Any party that appears before the court without

legal counsel.

Procedural Background

The history of events that took place to get the case to its current state.

Record

The official report of the proceedings in a case, including the filed papers, a verbatim (word for word) transcript of the trial or hearing, and tangible exhibits.

- **Clerk's Record**
 - Includes the written documents filed with and issued by the lower court.
- **Reporter's Record**
 - A verbatim transcript of the trial as well as any tangible exhibits that were presented at trial.

Relief

The remedy that a party is seeking from the court. For example, fifteen more days to file a brief.

Remedy

The means of enforcing a right, or preventing or redressing a wrong.

Scan Ready

A document that is one sided, unbound, and un-tabbed that can be easily scanned.

Sensitive Data

Any data that gives away personal information that could possibly be inappropriately used. Examples include the following: passport number, social security number, bank

account number, birth date, or the name of anyone who is a minor.

Statement of the Case

A statement of the nature of the case (e.g. whether it is a suit for damages or one involving a murder), the course of the proceedings, and the trial court's decision in the case. The statement of the case should be supported by and cite to the record.

Statement of Facts

A statement of the facts of a case that contains no legal or factual arguments. The statement of facts should be supported by and cite to the court record.

Table of Authorities

An alphabetical listing of the authorities (e.g. cases or statutes) cited in a brief.

Texas Rules of Appellate Procedure

The guidelines and rules governing the appellate process.

Waiver

The voluntary abandonment – express or implied – of a legal right, argument, or advantage.

JUDICIAL RESOURCES

There are many services dedicated to assisting people find legal services and legal advice. Below are just some of the organizations that can assist you and their contact information:

1. Lone Star Legal Aid – www.lonestarlegal.org , (800)-733-8394
2. State Bar of Texas – www.texasbar.com, (800)-252-9690
3. Texas Advocacy Project (civil issues only) – www.texasadvocacyproject.org
 - a. Family Violence – (800)-374-4673
 - b. Family Law – (800)-777-3247
 - c. Sexual Assault – (888)-296-7233
 - d. Technical Advocacy – (888)-325-7233
4. Texas Court Help – www.texascourthelp.org
5. Texas Law Help – www.texaslawhelp.org

In addition to the above resources, some local libraries, courts, and online resources will have judicial resources you can go and visit. These include:

1. Google Scholar – www.scholar.google.com
2. Library of Congress (Federal Legislation) – www.loc.gov
3. Public Library of Law (Cases from 1997 to present) – www.plol.org
4. Courts of Appeals – www.txcourts.gov
5. Texas Courts Online – www.search.txcourts.gov