

DEC 04 2025

**IN THE STATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA**

Aerona M. Hathaway Clerk

**STANDING ORDER MANDATING AND GOVERNING ELECTRONIC
FILING**

For ALL Cases in the State Court of Houston County

The State Court of the Houston Judicial Circuit, acting *sua sponte* and pursuant to its authority to regulate practice and procedure before it, hereby ORDERS as follows:

WHEREAS, the advancement of technology necessitates modernization of court filing procedures to promote efficiency, accuracy, and access to justice; and

WHEREAS, the Judicial Council of Georgia has established Statewide Minimum Standards for Electronic Filing; and

WHEREAS, this Court finds that mandatory electronic filing serves the interests of judicial economy and the orderly administration of justice;

NOW, THEREFORE, it is hereby ORDERED that electronic filing in all cases in the State Court of Houston County shall be mandatory for attorneys and out of custody self-represented litigants and shall be governed by the rules contained herein.

I. AUTHORITY

Electronic filing shall be conducted in accordance with Uniform Superior Court Rules 36.16 (as amended January 16, 2020), 36.17 (adopted June 4, 2015), and 36.18 (adopted February 25, 2021), the Statewide Minimum Standards for Electronic Filing established by the Judicial Council of Georgia, and statutory provisions in the Official Code of Georgia Annotated. Where this Order conflicts with operative law, this Order shall be superseded and construed to give full force and effect to the law.

II. EFFECTIVE DATE

This Order is mandatory for all new cases filed on or after **November 4, 2025**, and all cases pending on the effective date.

III. SCOPE OF ELECTRONIC FILING

All documents in civil and criminal cases must be electronically filed and served pursuant to this Order, except restricted documents in Section VIII. The clerk shall not accept paper filings except as otherwise provided herein.

IV. DEFINITIONS

- *Case Management System* - The Court's official case management and records system.
- *Clerk's Office* - The office of the State Court Clerk in Houston County, Georgia.
- *Court* - The State Court of Houston County.
- *Document* - Any electronic file (.pdf) including pleadings, petitions, complaints, motions, memoranda, orders, or other papers; excludes Non-Conforming Materials.

- *Electronic Filing (E-Filing)* - Electronic transmission of documents to and from the court via the EFSP.
- *Electronic Filing Service Provider (EFSP)* - Pioneer Technology's Benchmark system at <https://court.houstoncountya.org/BenchmarkWeb/Home.aspx/Search>
- *Electronic Service (E-Service)* - Electronic notice provided by Benchmark to case parties, including document details and access.
- *Manual Filing* - Filing a paper document with the Clerk's Office.
- *Non-Conforming Materials* - Items that cannot be converted to paper form or are illegible when scanned (videotapes, x-rays, CDs, audio recordings, tangible objects).
- *Party* - A person appearing in any case, whether represented or self-represented, or an attorney of record.
- *Public Access Terminal (PAT)* - Computers provided by the Clerk's Office for electronic filing and access during normal business hours.
- *Registered User* - A party, attorney, or authorized user registered with Benchmark to file, receive service, or retrieve documents.
- *Self-Represented Litigant* - A person appearing without representation by a licensed attorney.

V. AUTHORIZED USERS

The following users may register with Benchmark:

- Members of the Georgia Bar
- *Pro hac vice* attorneys
- Internal court users
- Self-represented litigants
- Clerks from other courts for case transfers

VI. PUBLIC ACCESS TERMINAL

- The public may E-file, research, download, view, and print electronically filed documents on a PAT in or near the Clerk's Office.
- Registered Users filing from a PAT shall not pay an E-Filing transaction fee (see Section XVII(b)(i)).

VII. SELF-REPRESENTED LITIGANTS

- Self-Represented Litigants are required to E-File in all civil cases.
- Self-Represented Litigants in criminal cases who are *out of custody* should E-File.
- Self-Represented Litigants in criminal cases who are *in custody* may make paper filings to the Clerk's office, subject to applicable governing law.

VIII. MANUAL FILING REQUIREMENTS

The following documents may not be E-Filed and must be filed on paper:

- Pauper's affidavits
- Pleadings or documents filed under seal

- Documents presented *in camera* or *ex parte*
- Bond validations as provided by law
- Documents with access restricted by law or court order

IX. DOCUMENT FORMAT

- Documents shall be formatted according to Georgia Rules of Civil Procedure
- Documents shall be submitted in Portable Document Format (.pdf) or Microsoft Word Format (.docx).
- Resolution shall be at least 300 dots-per-inch (DPI).
- Documents shall not be password-protected, encrypted, or contain embedded files, scripts, tracking tags, or executable files.
- Filers must redact social security numbers, bank account numbers, and protected health information, as filed documents are publicly searchable except those subject to statutory restriction.

X. ELECTRONIC SIGNATURES

- Every electronically filed or served document shall be deemed signed.
- Unless an original, sworn, or notarized signature is required, the following are acceptable:
 1. Handwritten signatures on scanned documents
 2. Conformed signatures
 3. Signatures captured using digital interface (signature pad, tablet, stylus)

Attorney Conformed Signature Format:

/s/ Jane Doe
JANE DOE
Georgia Bar No. 12345
Attorney for Plaintiff
Doe & Associates, LLC
678 Main Street
Atlanta, Georgia 30314
Phone: 123-455-7890
Email: jdoe@example.com

Non-Attorney Conformed Signature Format:

/s/ John Smith
JOHN SMITH
123 East Street
Plainville, Georgia 10292
Phone: 123-456-7890
Email: jsmith@example.com

- Documents requiring original, sworn, or notarized signatures must include accurate representations of the original signature(s).
- By electronically filing a document, the filer attests that the document and signature(s) are authentic.

XI. FILING DATE AND TIME

- Following Clerk review, accepted documents become official records and receive an electronic stamp with date and time received by Benchmark.
- Rejected documents do not become official records. Benchmark notifies the filer via email with the rejection reason.
- When accepted, resubmitted documents receive an electronic stamp reflecting the resubmission date and time.
- E-Filing does not alter filing deadlines.
- Time calculations for replies under Georgia law remain unchanged by this section.

XII. ELECTRONIC SERVICE

Parties are responsible for electronic service on all other parties, subject to the following:

- Original Petitions and Complaints shall be served pursuant to Georgia Civil Practice Act.
- All subsequent electronic documents shall be served through Benchmark to all parties.
- Electronic service through Benchmark constitutes valid service with the same legal effect as conventional means (U.S. mail or hand delivery).
- Recipients receive email notification containing an electronic image or hyperlink to the served document.

XIII. TIME TO RESPOND OR ACT

- E-Service is complete when transmission to Benchmark is completed, as reflected by the authorized date and time.
- Time periods are governed by the Georgia Civil Practice Act.
- Documents served when the Court is not open for business are deemed served on the next business day.
- Parties registering with Benchmark consent to receive E-Service of documents, except subpoenas or summons.
- Registered Users consent to email notification of hearings or trials as valid notice under Uniform Superior Court Rule 8.3.
- An electronic service address is presumed valid if the party files from that address and has not filed notice that the address is no longer valid.

XIV. COURTESY COPIES TO THE COURT

Benchmark does not send copies of filings to the Judge or Judge's Office. Parties may elect or be required to provide courtesy copies of documents to the assigned Judge or judicial assistant via electronic or traditional mail.

XV. ACCESS TO COURT DOCUMENTS

Every Clerk's Office shall make accessible all documents of record not sealed, privileged, or otherwise restricted. Access is available online through Benchmark at <https://court.houstoncountygga.org/BenchmarkWeb/Home.aspx/Search> or via the Clerk's PAT.

XVI. TIME FOR FILING AND SYSTEM ERRORS

- Pursuant to Uniform Superior Court Rule 36.16(D), documents filed electronically are considered filed when received by Benchmark. Documents filed after 11:59 p.m. EST are deemed filed on the next business day when the Court is in session.
- Pursuant to Uniform Superior Court Rule 36.16(F), if electronic filing or service is prevented by system failure, the court will enter appropriate relief such as *nunc pro tunc* filings or extensions. Filers seeking relief may file a motion at the earliest opportunity.

XVII. PAYMENT OF FILING FEES

Registered Users shall pay statutory filing fees electronically through Benchmark at the time of filing.

Benchmark Fees (Recoverable Court Costs):

- One-time fee not exceeding \$30.00 per filer, per party for electronically filing and serving pleadings, payable at first filing (or first filing not using PAT if initial filing was via PAT)
- Supplemental fee of \$5.00 for each filing after ten electronic filings in a civil action
- Convenience fee for credit card and bank drafting services not exceeding 3.5% plus \$0.30 per transaction

Transaction Definition: A single upload to Benchmark for filing a pleading or document (or multiple pleadings/documents filed concurrently) within an individual case.

Fee Exemptions:

No electronic filing service provider shall charge fees for:

- Pleadings filed by the Department of Law, Office of Legislative Counsel, Office of Secretary of State, district attorneys, or public defenders in official capacity
- Pleadings filed on behalf of municipal corporations or county governments
- Leave of absence or conflict notices filed pursuant to Uniform Court Rules

XVIII. ELECTRONIC FILING OF ORDERS AND COURT PAPERS

The Court may issue, file, and serve notices, orders, and other documents electronically. Orders or court-issued documents bearing the signature of a Judge filed electronically and entered by a Judge, Clerk, Deputy Clerk, or court personnel per a Judge's order shall have the same force and effect as if containing the handwritten signature of the Judge.

XIX. ELECTRONIC RECORD

The Clerks of State Court of the Houston Judicial Circuit are authorized to maintain the original and official case record in electronic format within the Case Management System.

SO ORDERED, this 4th day of November, 2025. *nunc pro tunc*



HONORABLE JASON E. ASHFORD
Judge, State Court of Houston County