

C-1-PB-17-000002

Administrative Order

2017-4

[Amending Administrative Order 2013-2,
signed December 2013; Administrative Order
2014-5, signed May 14, 2014; and Administrative
Order 2017-1, signed February 3, 2017]

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In the Probate Court

Number One

Travis County, Texas

FILED FOR RECORD
2017 SEP -8 AM 8:12
DANA DEBEAULNOIR
CLERK
COUNTY CLERK
TRAVIS COUNTY TEXAS

**Administrative Order Regarding the Filing of Annual and Final Accounts
following the Texas Supreme Court's Adoption of
Texas Rule of Civil Procedure 21c**

In December 2013, this Court found there was need for an Administrative Order regarding the filing of annual and final accounts following the Texas Supreme Court's adoption of Texas Rule of Civil Procedure 21c. In May 2014, this Court signed an amended Administrative Order that required attorneys to submit to the Court in two formats (hard copy and electronic) both an unredacted copy of the accounting and an unredacted copy of all necessary back-up. In February 2017, the Court signed an amended Administrative Order that updated contact information included in the Order. The Court now finds there is need to amend the Administrative Order to again update contact information referred in this Order, including reference to the Court's new email to be used for accounts: probate.auditors@traviscountytexas.gov.

On December 13, 2013, the Supreme Court of Texas adopted Texas Rule of Civil Procedure (TRCP) 21c, Privacy Protection for Filed Documents, effective January 1, 2014. Rule 21c defines sensitive data as follows:

- (1) a driver's license number, passport number, social security number, tax identification number, or similar government-issued personal identification number;
- (2) a bank account number, credit card number, or other financial account number;
and
- (3) a birth date, home address, and the name of any person who was a minor when the underlying suit was filed.

Unless sensitive data is specifically required by a statute, court rule, or administrative regulation, a document containing sensitive data may not be filed unless the sensitive data is "redacted by using the letter 'X' in place of each omitted digit or character or by removing the sensitive data in a manner indicating that the data has been redacted." The filing party is required to retain an unredacted version of the filed document while the case is ongoing.

Given Rule 21c, the undersigned presiding judge of Travis County Probate Court No. 1 finds there is need for an administrative order setting out new procedures to be followed when annual and final accounts are required in guardianship and probate estates. The Court cannot audit an accounting without access to both an unredacted accounting as well as unredacted back-up.

It is therefore ordered that the following procedures must be followed when any annual or final account is filed in Travis County Probate Court No. 1, effective immediately.

- File the accounting in compliance with TRCP 21c, redacting sensitive data as needed (for example redacting sensitive data in the required verifications of deposit, confirmations of safekeeping, and tax affidavits).
- File the accounting electronically as required by Texas Supreme Court Order and TRCP Rule 21.
- No financial statement, check copy, or other back-up to an annual or final accounting shall be filed with the Clerk, whether or not any sensitive data is redacted.
- Within 7 business days of filing the accounting, deliver the following to the Court:
 1. An unredacted paper copy of the filed accounting. On the first page, clearly indicate the date the accounting was filed. Deliver by mail or by hand-delivery to the office of the Court Coordinator.
 2. Unredacted paper copies of all required back-up including financial statements (for example, all bank statements, copies of returned checks, brokerage statements, etc.). Copies or originals are acceptable, as long as they are unredacted. Deliver by mail or by hand-delivery to the office of the Court Coordinator.

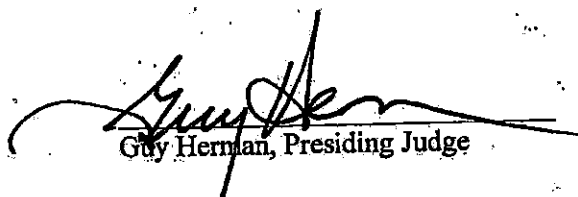
The Court will not file the back-up. Counsel has 30 days after an accounting is approved to pick up the hard-copy back-up that was delivered to the Court. If the back-up is not picked up within 30 days, the Court will destroy it.

3. An electronic version of all required back-up (see #2 above). This electronic version may be emailed to probate.auditors@traviscountytexas.gov or may be submitted on a flash drive delivered with the paper back-up to the office of the Court Coordinator.

The Court will retain an electronic version of the back-up in its internal files. Counsel may arrange to pick up a submitted flash drive after the electronic version of the back-up has been saved.

4. If it is a first annual accounting, an unredacted copy of the inventory.
5. In a probate, the names and birth dates of all minor heirs, if any.

Signed September 7, 2017.


Guy Herman, Presiding Judge