



**RESOLUTION**

A Resolution of the Upshur County Commissioners Court, Texas  
Opposition to re:SearchTX, January 31, 2017

FILED  
TERRI ROSS  
COUNTY CLERK  
2017 JAN 31 AM 10:33  
UPSHUR COUNTY, TX.  
BY *[Signature]*  
DEPUTY

**WHEREAS**, the Upshur County Commissioners Court recognizes that the Texas Office of Court Administration (OCA), under The Supreme Court of Texas's direction, has created re:SearchTX, a web portal to allow judges secure access to a consolidated database of case information that has been e-Filed; and

**WHEREAS**, the sole purpose of the e-File system developed by OCA was to provide a delivery system for attorneys to file documents electronically to the courts and that the information would only be retained for thirty days; and

**WHEREAS**, the OCA is now retaining information filed with the e-File system and plans to make it available to attorneys and the public (for a fee) through re:SearchTX in the near future; and

**WHEREAS**, as required by the Texas Constitution and state statutes, the county and district clerks of each Texas county are the designated custodians of court records, responsible for the management, preservation and access of court records; and

**WHEREAS**, Texas counties are responsible for providing resources to clerks for the management, preservation and access of court records by the public including having the option of offering county records through an electronic information system and may provide (on a contractual basis) direct access to the public, by statute;

**NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF UPSHUR COUNTY**, by virtue of the authority vested in us, do hereby state that for the foregoing reasons, it is in the best interest of Upshur County and our taxpayers to oppose any change to current statutes regarding care, custody and control of records held by the county and district clerks and to any actions that would result in those records being centralized within any other entity, be it public or private.

**BE IT FURTHER RESOLVED**, we are opposed to the amendment and/or repeal of any current statutes or rules that authorize local control by commissioner's court in the administration of our duties concerning records held by the county and district clerk or how the county chooses to offer those records to the public.

**BE IT FURTHER RESOLVED**, finally, we oppose any diversion of existing County revenue to any other government entity concerning records held under local control by statute.

**PASSED AND APPROVED** by the Upshur County Commissioners Court on the 31<sup>st</sup> day of January, 2017.

*[Signature]*  
Dean Fowler, County Judge

*[Signature]*  
Paula Gentry, Precinct 1 Commissioner

*[Signature]*  
Don Gross, Precinct 2 Commissioner

*[Signature]*  
Frank Berka, Precinct 3 Commissioner

*[Signature]*  
Mike Spencer, Precinct 4 Commissioner

Attest: *[Signature]*  
Terri Ross, County Clerk

