

Statutes and Rules for Confidential, Sealed and Secured Records

Case Category	Case Type	Statute Reference	Notes
Civil	Suits to Amend/Transfer Structured Settlement Payments	Civil Practice and Remedies Code, Secs. 141.006(d) and (e)	Information redacted to the public at time of initial filing and in dispositive order.
	<i>(Redacted copies are public. – Party Names are sealed until court orders unsealed.)</i>		<i>(Unredacted records are sealed. Court can order them unsealed on or after 6 months following final judgment.)</i>
	Expunctions <i>(after order granting)</i>	Code of Criminal Procedure, Arts. 55.01 and 55.02 and 55A	Record removed after Granted disposition.
	Non-disclosures <i>(after order granting)</i>	Government Code, Ch. 411, Subchapter E-1	Record is non-disclosed to public and only available to statutorily authorized agencies, parties, etc.
Juvenile	Registry Funds <i>(Documents within any case.)</i>	Local Government Code, Ch. 117.003	Information provided for account is not subject to public disclosure.
	Cyber Bullying	Civil Practice and Remedies Code, Ch. 129A	Forms promulgated by Supreme Court provide for a redacted petition being filed when a Minor is involved.
	Case Records – -Child In Need of Supervision -Delinquent Conduct Truancy	Family Code Ch. 58.007	Juvenile records maintained as confidential.
		Family Code Ch. 65.201(c) and (d), 65.202	Juvenile records maintained as confidential.
	Class C – Misdemeanor Involving Juvenile (Non-Traffic)	Code of Criminal Procedure, Arts. 45.0217 and 45.052	Class C misdemeanors in justice or municipal court are confidential and may not be disclosed to the public.
	Civil E-file Rules	Texas Rules of Civil Procedure 21 (f)	Except in juvenile cases under Title 3 of the Family Code, attorneys must electronically file documents in courts where electronic filing has been mandated. Attorneys practicing in courts where electronic filing is available but not mandated and unrepresented parties may electronically file documents, but it is not required.
	Conviction & Arrest Record	Alcohol & Beverage Code 106.12	Any person convicted of not more than 1 violation of this code while a minor, on attaining the age of 21 years, may apply to the court in which he was convicted to have the conviction expunged.

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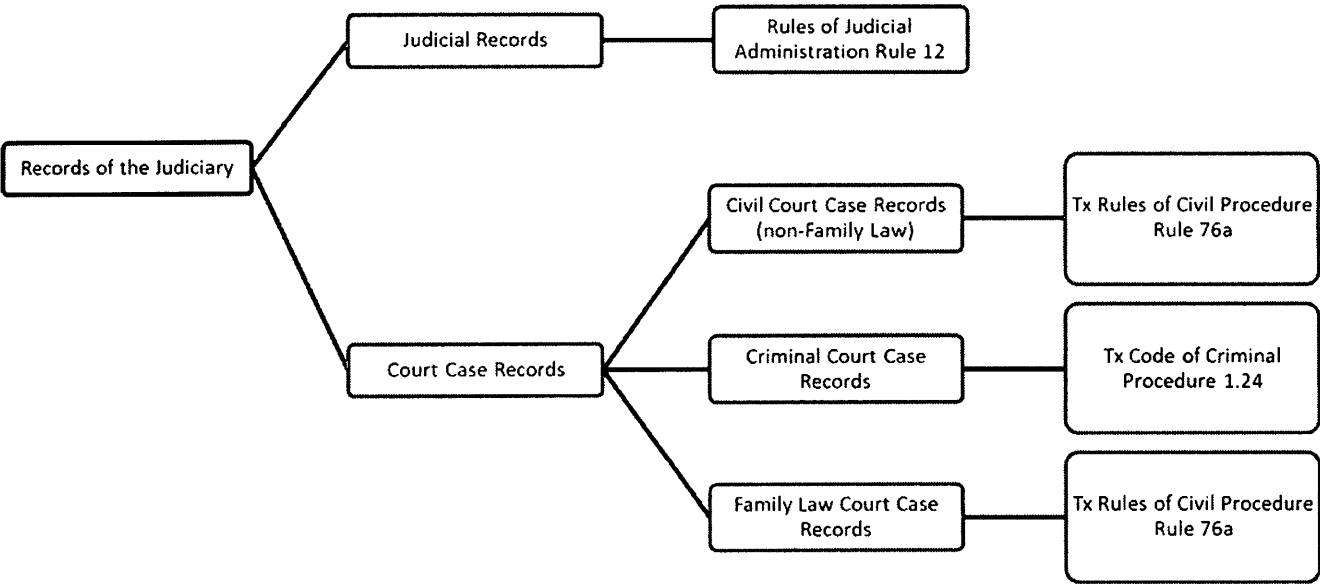
Case Category	Case Type	Statute Reference	Notes
Mental Health and Guardianship <i>(Not public on Re:SearchTX; only case parties & attorneys of record, and judges can see these records; except that Guardianship Management Trust and Sale of Property are public.)</i>	Mental Health , including Relief from Firearms Disability	Health and Safety Code, Sec. 571.015 & 574.088	Mental health cases confidential.
	Guardianship	Estates Code, Ch. 1053.104, 1052.053, and 1053.103	Confidentiality of persons protected by a protective order, by petition. Tex. Estates Code § 1052.053: "The county clerk shall keep the index open for public inspection but may not release the index from the clerk's custody." See also 1053.103: "Court shall render a decision, order, decree or judgment in a guardianship proceeding in open court."
Family	Divorce/Annulment with and without Children <i>(public, with 30-day delayed access on Re:SearchTX)</i>	Family Code, Ch. 6.411	30-day delay in counties with a population of 3.4 million or more <i>(Same delay for public access on Re:SearchTX in all counties.)</i>
	Adoption <i>(after order granting)</i>	Government Code, Ch. 552; Family Code, Ch. 162.022	Upon the entry of a Final Order the case is made confidential. <i>(Not public on Re:SearchTX; only case parties & attorneys of record, and judges can see these records.)</i>
	Child Protection - <u>Harris</u> County <i>(these cases are public record in all other counties)</i>	Government Code, Ch. 24.620; Family Code, Ch. 262.308; and Local Rule	Abandoned Child case is confidential. Local Rules provide all CPS cases are maintained as confidential. <i>(Not public on Re:SearchTX; only case parties & attorneys of record, and judges can see these records.)</i>
	Gestational Parenting <i>(after order granting)</i>	Family Code, Ch. 160.757	Maintained confidentially as an adoption. – <i>(Re:SearchTX access is also same as adoptions; see above.)</i>
	Parentage/Paternity/Voluntary Legitimation	Family Code, Ch. 160.633; But see Family Code, Ch. 160.105	FC 106.033 provides that Paternity documents are available for public inspection, but FC 160.105 provides for protection of participants including health, safety, privacy and liberty of a child including identity personal information and day-care facility and school.
	Termination of Parental Rights <i>(Sealed only if final order includes instruction for clerk to seal case.)</i>	Family Code, Ch. 161.210	By motion from the party or the court's own motion.
	Parental Notification Records	Family Code, Ch. 33.003 (k)	Jane Doe Process-Maintained as confidential.

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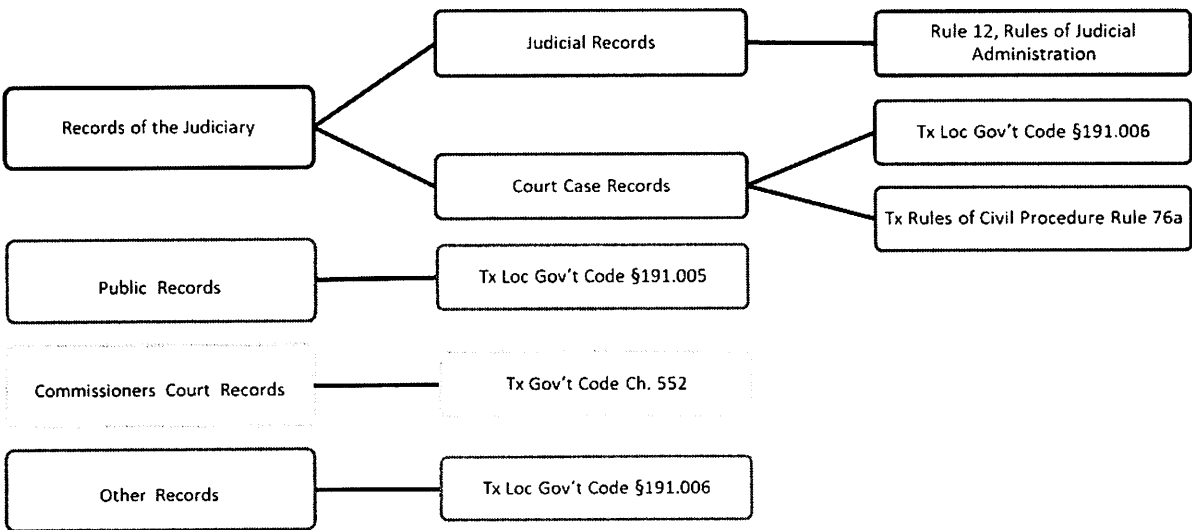
Case Category	Case Type	Statute Reference	Notes
Criminal	Arrest and Search Warrants (public after execution, unless court order seals)	Code of Criminal Procedure, Art. 15.26 & 18	Made public after execution unless sealed by the court.
	Presentment of Indictment (“no-arrest” indictments are sealed; public after arrest)	Code of Criminal Procedure, Art. 20A.304	If defendant is in custody or under bond it can be made available publicly. If the defendant is not in custody or under bond, the indictment may not be made public.
	Court Of Appeals	E-file General Rule 1.3	The following may not be electronically filed: (1) documents filed under seal or presented to the court in camera; and (2) documents to which access is otherwise restricted by these rules, law, or court order.
	Court Of Appeals	E-file General Rule 4.1	Rule 4.1 Sensitive Data Defined Sensitive data consists of: (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; (3) a birth date, home address, or personal phone number; and (4) the name of any person who was a minor when the underlying suit was filed unless, under Texas Family Code Section 54.02, a juvenile court has waived its exclusive original jurisdiction and transferred the individual to a district court.
General	Sensitive Data Rule (in Re:SearchTX - Documents with Sensitive Data Security can be viewed only by Case Parties, Atty of Record, & Judges. All other attorneys and the public do not have access.)	Rule of Civil Procedure Rule 21 C, Court of Appeals E-file Rules Part 4	Privacy Protection for filed documents of personal information. Should be included if required by statute but prohibits the clerk to post them on the internet unless redacted.
	Sealed by Court Order	Rules of Civil Procedure 76a	Provides the ability for the court to seal filing by court order.

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District Clerk Records



County Clerk Records



Confidential – cases and/or documents can be seen by attorneys on the case and their firm staff (Role 2 permissions), clerks, and clerk administrators in the jurisdiction (Role 3 permissions), and specific judges (Role 1 permissions).

Sealed – documents cannot be seen by any role. Index information can be seen unless the case is sealed.

5.4 REGISTERED USER MATRIX

The permissions outlined below mirror the eFiling Case Categories and Case Types found in eFiling and apply only to Registered Users (Role 5) of the system. Other role permissions are defined in Section 5.2 above.

If a clerk uses internal case types in the local case management system that do not match exactly the case types listed, the internal case types must be mapped to the case types listed in sections 5.4.1 through 5.4.6.

Index Info – an X indicates that for this case type, case index information is shown. “Restyle” indicates that the case style should be changed to protect the identities of minors.

Docs – an X indicates that document images are available for this case type.

Delay – indicates the number of days delay before the case information and/or documents may be accessed by registered users. The number of days is based on the date the document is accepted by the clerk.

5.4.1 CIVIL CASES

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Civil – Contract	Debt/Contract – Consumer/DTPA	X	X	
	Debt/Contract – Debt/Collection	X	X	
	Debt/Contract – Fraud/Misrepresentation	X	X	
	Debt/Contract – Other	X	X	
	Evictions – Commercial	X	X	
	Evictions – Residential (filed in JP Courts)			
	Evictions – Residential (appealed to county courts)	X	X	180
	Foreclosure – Home Equity-Expedited	X	X	
	Foreclosure – Other	X	X	
	Franchise	X	X	
	Home Owners Association	X	X	
	Insurance	X	X	
	Other Landlord/Tenant - Commercial	X	X	
	Other Landlord/Tenant – Residential	X	X	
	Non-Competition	X	X	

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Civil - Employment	Partnership	X	X	
	Other Contract	X	X	
	Discrimination	X	X	
	Retaliation	X	X	
	Termination	X	X	
Civil - Injury or Damage	Workers' Compensation	X	X	
	Other Employment	X	X	
	Assault/Battery	X	X	
	Construction	X	X	
	Defamation/Libel/Slander	X	X	
Civil - Other Civil	Malpractice - Accounting	X	X	
	Malpractice - Legal	X	X	
	Malpractice - Medical	X	X	
	Malpractice - Other Professional Liability	X	X	
	Motor Vehicle Accident	X	X	
	Premises	X	X	
	Product Liability - Asbestos/Silica	X	X	
	Product Liability - Other	X	X	
	Other Injury or Damage	X	X	
	Administrative Appeal	X	X	
	Antitrust/Unfair Competition	X	X	
	Appeal from a Lower Court	X	X	
	Bill of Review	X	X	
	Code Violations	X	X	
	Communicable Disease			
	Cruelly Treated Animal	X	X	
	Dangerous Dog	X	X	
	Dog Causing Death or Serious Bodily Injury	X	X	
	Driver's License Suspension Hearing	X	X	
	Emergency Mental Health			
	Foreign Judgment	X	X	
	Fraudulent Liens	X	X	
	Garnishment	X	X	
	Handgun License	X	X	
	Intellectual Property	X	X	
	Judicial Review- Fraudulent Documents	X	X	
	Lawyer Discipline	X	X	
	Order for Entry and Property Retrieval	X	X	
	Perpetuate Testimony	X	X	
	Protective Order (Non-Domestic Relations)	X	X	

Case Category Code	Case Type Codes	Index Info	Docs	Delay
	Removal of Discriminatory Provision	X	X	
	Securities/Stock	X	X	
	Tortious Interference	X	X	
	Toll Road	X	X	
	Tow Hearing	X	X	
	Transfer Structured Settlement			
	Payment Rights			
	Truancy			
	Turnover	X	X	
	Writ of Sequestration	X	X	
	Writ to Retrieve Judgment	X	X	
	Other Civil	X	X	
Civil - Real Property	Condemnation	X	X	
	Eminent Domain	X	X	
	Partition	X	X	
	Quiet Title	X	X	
	Tax Appraisal	X	X	
Civil - Related to Criminal Matters	Trespass to Try Title	X	X	
	Other Real Property	X	X	
	Expunction			
	Judgment Nisi	X	X	
	Non-Disclosure			
	Occupational Driver's License	X	X	
	Seizure/Forfeiture	X	X	
	Sexual Predator (Health & Safety Code 841)	X	X	
	Stolen or Seized Property	X	X	
	Other Related to Criminal Matters	X	X	
Civil - Tax	Tax Delinquency	X	X	
	Tax Suit	X	X	
	Other Tax	X	X	

5.4.2 FAMILY CASES

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Family- Marriage Relationship	Annulment with Children	ReStyle		31
	Annulment without Children	X		31
	Declare Marriage Void with Children	ReStyle		31
	Declare Marriage Void without Children	X		31
	Divorce with Children	ReStyle		31
	Divorce without Children	X		31
Family- Other Family Law	Adult Adoption			
	Register Foreign Judgment	ReStyle		31
	Garnishment	ReStyle		31
	Habeas Corpus	ReStyle		31

Family- Parent-Child Relationship	Name Change			
	Protective Order			
	Removal of Disabilities of Minority			
	Temporary Authorization for Care of Child			
	Unaccompanied Alien Child			
	Other Family Law	X		31
	Adoption/Adoption with Termination			
	Child Protection			
	Child Protection (Gov. Code 24.620)			
	Child Support	ReStyle		31
	Custody or Visitation	ReStyle		31
	Gestational Parenting			
	Grandparent Access	ReStyle		31
	Parentage/Paternity/Voluntary Legitimation	Restyle		31
	Termination of Parental Rights	ReStyle		31
Family- Post-judgment Actions	Other Parent-Child	ReStyle		31
	Enforcement	ReStyle		31
	Modification - Custody	ReStyle		31
	Modification - Other	ReStyle		31
Family- Title IV-D (OAG Use Only)	(Title IV-D OAG Use Only) Establishment	ReStyle		31
	(Title IV-D OAG Use Only) Paternity	ReStyle		31
	(Title IV-D OAG Use Only) Interstate - No TX Cause	ReStyle		31
	(Title IV-D OAG Use Only) Interstate - Existing TX Cause	ReStyle		31
	(Title IV-D OAG Use Only) Enforcement	ReStyle		31
	(Title IV-D OAG Use Only) Intervention	ReStyle		31
	(Title IV-D OAG Use Only) Other - Billed	ReStyle		31
	(Title IV-D OAG Use Only) Other - Not Billed	ReStyle		31
	(Title IV-D OAG Use Only) Capias/Writ	ReStyle		31
	(Title IV-D OAG Use Only) Service Documents	ReStyle		31

5.4.3 PROBATE CASES

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Probate	Dependent Administration	X	X	
	Independent Administration	X	X	
	Foreign Will	X	X	
	Letters Testamentary	X	X	
	Muniment of Title	X	X	
	Other Estate Proceedings	X	X	
	Small Estate Proceedings	X	X	
	Open Safety Deposit Box	X	X	
	Guardianship - Adult			

Probate – Guardianship	Guardianship – Minor			
	Guardianship Management Trust	X	X	
Probate – Other	Sale of Property	X	X	
	Emergency Mental Health			
	Other Probate			
	Relief from Firearms Disability	X	X	
	Condemnation/Eminent Domain (Bexar/Denton/Travis County Only)	X	X	

5.4.4 MDL CASES

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Multi-District Litigation (MDL)	MDL – <Supreme Court Ordered MDL Type>	X	X	

5.4.5 CRIMINAL

For documents to be visible to Role 5 (Registered Users), the document must contain a document type of one the following:

- Information
- Indictment
- Sentence
- Judgment
- Order of Dismissal

If a clerk uses internal document types in the local case management system that do not match exactly the document types listed, the internal case types must be mapped to the document types listed above.

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Criminal – Misdemeanor	Appeal from a Lower Court	X		
	Expunction			
	Misdemeanor ⁵	X		
	Misdemeanor A	X	X	
	Misdemeanor B	X	X	
	Misdemeanor C	X	X	
	Magistrate Case	X		
	Occupational Driver's License	X		
	Writ – Other	X		
	Writ – Habeas Corpus - Other	X		
	Writ – Habeas Corpus – 11.072	X		
	Appeal from a Lower Court	X		
Criminal – Felony				

⁵ For the “Misdemeanor” and “Felony” case types, the intent is that the clerk chooses either the broad case type (Misdemeanor) OR the detailed case types (Misdemeanor A, Misdemeanor B, Misdemeanor C).

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	Expunction			
	Capital Felony	X	X	
	Felony	X	X	
	Felony 1	X	X	
	Felony 2	X	X	
	Felony 3	X	X	
	Felony - State Jail	X	X	
	Magistrate Case	X		
	Occupational Driver's License	X		
	Sexual Predator (Health & Safety Code 841)	X		
	Writ - Other	X		
	Writ - Habeas Corpus - 11.07	X		
	Writ - Habeas Corpus - 11.071	X		
	Writ - Habeas Corpus - 11.072	X		

5.4.6 COURTS OF APPEALS

Case Category Code	Case Type Codes	Index Info	Docs	Delay
Civil - Contract	All Cases	X	X	
Civil - Employment	Workers Compensation	X	X	
	Other Employment	X	X	
Civil - Injury or Damage	Personal Injury	X	X	
	Professional Malpractice	X	X	
Civil - Other Civil	Administrative Appeal	X	X	
	Corporation/Partnership	X	X	
	Election - Original Proceeding	X	X	
	Election - Appeal	X	X	
	Governmental Immunity	X	X	
	Insurance	X	X	
	Lawyer Discipline	X	X	
	Mandamus	X	X	
	Oil and Gas	X	X	
	Prohibition	X	X	
	Securities/Stock	X	X	
	Other Civil	X	X	
Civil - Real Property	All Cases	X	X	
Civil - Related to Criminal Matters	Expunction			
	Non-Disclosure			
	Seizure/Forfeiture	X	X	
Civil - Tax	All Cases	X	X	
Family - Marriage Relationship	Marriage Dissolution	X	X	
	Divorce	X	X	
Family - Parent-Child Relationship	SAPCR (Suit Affecting Parent-Child Relationship)	X	X	
	Termination of Parental Rights	X	X	
Family - Title IV-D (OAG Use Only)	All Cases	X	X	
Juvenile	All Cases	X	X	
Probate	Estate Proceedings and Administration	X	X	
	Guardianship	X	X	
	Mental Health	X	X	