



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

November 10, 1989

Ms. Sandra L. Reily  
Court Clerk  
Dickinson Municipal Court  
City of Dickinson  
2716 Main  
Dickinson, Texas 77539

Dear Ms. Reily:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 7901; this decision is OR89-369.

Under the Open Records Act, all information held by governmental bodies is open unless the information falls within one of the act's specific exceptions to disclosure. Attorney General Opinion H-436 (1974). The act places on the custodian of records the burden of proving that records are excepted from public disclosure. If a governmental body fails to claim an exception, the exception is ordinarily waived unless the information is deemed confidential under the act. See Attorney General Opinion JM-672 (1987). The act does not require this office to raise and consider exceptions that you have not raised.

The Dickinson Municipal Court received an open records request for access to and copies of all traffic tickets dated from August 1989 to the present. This office has previously held that municipal courts must comply with such requests. Your request is governed by Open Records Decision No. 274 (1981), a copy of which is enclosed. You must grant access to or make copies of the traffic tickets.

Because case law and prior published open records decisions resolve your request, we are resolving this matter

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with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-369.

Yours very truly,

*Open Government Section*  
*of the Opinion Committee*

Approved by Jennifer S. Riggs  
Chief, Open Government Section  
of the Opinion Committee

JSR/RWP/le

Ref.: ID# 7901

Enclosures: ORD-274

cc: Ron Willhoite  
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