



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 22, 1995

Mr. Michael G. Morris
Attorney at Law
Frost Bank Building
5350 South Staples, Suite 222
Corpus Christi, Texas 78411-4660

OR95-822

Dear Mr. Morris:

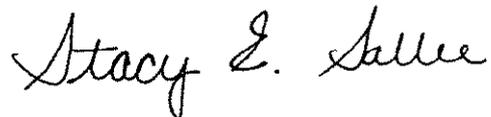
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 34223.

The City of Ingleside (the "city") received a request for public information found in the city secretary's records and the city building officials' records, including correspondence with the city attorney, relating to the requestor's carpentry shop and storage building. You claim that two responsive items are excepted from disclosure under section 552.107 of the Government Code. We have considered the exception you claimed and have reviewed the documents at issue.

Section 552.107(1) excepts information that an attorney cannot disclose because of a duty to his client. In Open Records Decision No. 574 (1990), this office concluded that section 552.107 excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions; it does not apply to all client information held by a governmental body's attorney. *Id.* at 5. We conclude that the first submitted document falls within the attorney-client privilege as containing an attorney's legal advice or opinions. However, the second submitted document contains neither the attorney's advice or opinions or client confidences. Therefore, the city may not withhold the second submitted document from disclosure.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee
Assistant Attorney General
Open Government Section

SES/KHG/rho

Ref.: ID# 34223

Enclosures: Marked documents

cc: Mr. Bruce Thauburn
P.O. Box 3916
Ingleside, Texas 78362
(w/o enclosures)