



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 22, 1995

Ms. Amy Motes McCullough
City Attorney
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581-5416

OR95-823

Dear Ms. McCullough:

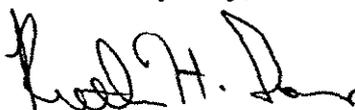
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 34230.

The City of Pearland (the "city") has received a request for a memorandum from the city attorney regarding minute-taking at city workshops. You assert that this information is excepted from required public disclosure under sections 552.107 and 552.111 of the Government Code.

Section 552.107(1) excepts from required public disclosure "information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Rules of the State Bar of Texas." In Open Records Decision No. 574 (1990), this office held that this exception protects information that reveals client confidences to an attorney or that reveals the attorney's legal advice. You have submitted for our review a memorandum from the city attorney to the city manager that contains the city attorney's legal advice to the city regarding its minute-taking practices. We conclude that the memorandum may be withheld from public disclosure under section 552.107.

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,

A handwritten signature in black ink, appearing to read "Ruth H. Soucy". The signature is fluid and cursive, with the first name "Ruth" being the most prominent.

Ruth H. Soucy
Assistant Attorney General
Open Government Section

RHS/MRC/rho

Ref.: ID# 34230

Enclosures: Submitted documents

cc: Ms. Catherine H. O'Brien
3010 Country Club
Pearland, Texas 77581
(w/o enclosures)