



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 30, 1995

Ms. Claudia Nadig  
Texas Workers' Compensation Commission  
Southfield Building, MS-4D  
4000 South IH-35  
Austin, Texas 78704-7491

OR95-1317

Dear Ms. Nadig:

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# 36892.

The Texas Workers' Compensation Commission ("TWCC") received an open records request for the addresses of four former commissioners. You contend TWCC may withhold these addresses from the public pursuant to section 552.103(a) of the Government Code. To secure the protection of section 552.103(a), a governmental body must demonstrate that requested information "relates" to a pending or reasonably anticipated judicial or quasi-judicial proceeding. Open Records Decision No. 588 (1991).

You inform us that litigation is pending in which TWCC and the four former commissioners are named parties. However, we do not believe you have established that the addresses of these commissioners relate to the litigation. Accordingly, you may not withhold the requested addresses from required public disclosure based on section 552.103 of the Government Code.

However, the addresses may be excepted from required public disclosure under section 552.117 of the Government Code. If at the time the TWCC received the request for information the commissioners had elected to not allow public disclosure of their addresses in accordance with section 552.024 of the Government Code, the TWCC must withhold the requested addresses from required public disclosure based on section 552.117. See Open Records Decision No. 622 (1994).

We are resolving this matter with this 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 may 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,



Kay H. Guajardo  
Assistant Attorney General  
Open Records Division

KHG/rho

Ref.: ID# 36892

Enclosure: Submitted document

cc: Mr. Jack Swisher  
3203 Chris Drive  
Houston, Texas 77063  
(w/o enclosure)