



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 13, 1997

Ms. Laura Fiorentino Cahill  
Assistant County Attorney  
Harris County  
1001 Preston, Suite 634  
Houston, Texas 77002-1891

OR97-2275

Dear Ms. Cahill:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 110481.

The Harris County District Clerk received a request for "a copy of the list of Trust Fund deposits made to the Registry of the District Clerk's Office with regard to excess proceeds from tax suit property sales and resales which remain unclaimed." You contend that the requested information constitutes records of the judiciary and therefore is not subject to the Open Records Act, and that the requested information is excepted from public disclosure by section 552.101 of the Government Code.

It is well established that records of the judiciary, of which the district court is a part, are not subject to the act. *See* Gov't Code § 552.003(1)(B); Open Records Decision No. 535 (1989). Accordingly, the requested information is not available under the Open Records Act. However, while not subject to the Open Records Act, judicial records are nevertheless subject to common-law and statutory rights of inspection. *See* Attorney General Opinion No. DM-166 (1992); *Ashpole v. Millard*, 118 S.W.2d 169, 170 (Tex. App.--Houston [1<sup>st</sup> Dist.] 1989, no writ). *See also* Loc. Gov't Code § 117.123 (yearly audit of registry funds "open to inspection by any interested person or persons").

Additionally, this office concluded in Open Records Letter No. 94-319 (1994) (copy enclosed), that none of the information contained in the registry comes under the protection of common-law privacy because of the clear public interest in this information. *See also* *Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54 (1992) (no privacy interest in information contained in public court records).

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 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/rho

Re: ID# 110481

Enclosures: Open Records Letter No. 94-319 (1994)  
Submitted documents

cc: Ms. Jeri L. Jordan  
President  
JLJ Resources, Inc.  
636 East 12½ Avenue  
Houston, Texas 77008-7118  
(w/o enclosures)