



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 9, 1997

Mr. Merril E. Nunn
City Attorney
City of Amarillo
P.O. Box 1971
Austin, Texas 79105-1971

OR97-2701

Dear Mr. Nunn:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 111603.

The Amarillo Municipal Court (the "court") received a request for "a computer list of names and addresses of citizens who have received a speeding citation." You explain that after a clarifying conversation with the requestor, the requestor "wants the municipal court clerk to develop a computer program that would, on a daily basis, sort through the people who appear at a cashier's window for disposition of their traffic citations, pick out those who have requested to appear before the judge to request defensive driving, compile those people into a list and either mail the list to the requestor on a daily basis or let the requestor pick it up at the municipal court office." Among other things, you argue that the requested records need not be disclosed under the Open Records Act because they are records of the judiciary.

The Open Records Act does not apply to records of the judiciary. Gov't Code § 552.003(B). As these are records maintained by the municipal court, you need not release them under the Open Records Act. Attorney General Opinion DM-166 (1992). As records of the judiciary, however, the information may be public by other sources of law. Attorney General Opinions DM-166 (1992) at 2-3 (public has general right to inspect and copy judicial records), H-826 (1976); Open Records Decision No. 25 (1974); *see Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54, 57 (Tex. 1992) (documents filed with courts are generally considered public and must be released).

Additionally, the records may be subject to disclosure under statutory law governing municipal courts. *See* Gov't Code § 29.007(d)(4) (complaints filed with municipal court clerk); *id.* § 29.007(f) (municipal court clerks shall perform duties prescribed by law for county court clerk); Local Gov't Code § 191.006 (records belonging to office of county clerk shall be open to public unless access restricted by law or court order).

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 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

Ref: ID# 111603

cc: Mr. Bill C. Dodgin
President
Comedy Defensive Driving School
6003 Devon
Amarillo, Texas 79109
(w/o enclosures)