



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 16, 1998

Ms. Pamela Wolek
Assistant City Attorney
City of Amarillo
Legal Department
P.O. Box 1971
Amarillo, Texas 79105-1971

OR98-1476

Dear Ms. Wolek:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 116758.

The Amarillo Municipal Court (the "municipal court") received a request for the case dispositions of certain individuals. You argue that the requested records need not be disclosed under the Open Records Act because they are records of the judiciary.

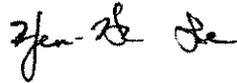
The Open Records Act does not apply to records of the judiciary. Gov't Code § 552.003(B). As these are records maintained by the municipal court, you need not release them under the Open Records Act. Attorney General Opinion DM-166 (1992). As records of the judiciary, however, the information may be 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).

Lastly, you ask about the application of section 58.007 of the Family Code which governs juvenile law enforcement records. We note that section 58.007 "does not apply . . . to a record or file relating to a child that is maintained by a municipal or justice court." Fam. Code § 58.007(a). Therefore, releasing such records would not violate section 58.007.

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# 116758

cc: Mr. Greg R. Stebbins
Wal-Mart #822
3700 East IH-40
Amarillo, Texas 79103