



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 19, 1998

Mr. Harvey Stamper  
Justice of the Peace  
Precinct No. 5  
201 W. Ben Franklin  
Corrigan, Texas 75939

OR98-1502

Dear Mr. Stamper:

You ask whether certain information is subject to required public disclosure under the Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 116381.

The Polk County Justice of the Peace received two requests for numerous items of information. You urge that a justice of the peace court is not subject to the act based on section 552.003(1)(B) of the Government Code, a provision that excludes the judiciary from the act.

Your correspondence with the requestor in regard to the first request indicates that for certain categories of the requested information, you do not have the requested information and that for the remaining categories you will make available to the requestor the information.<sup>1</sup> In regard to the second request, we agree that the records of a justice of the peace are not subject to the act. Gov't Code 552.003(1)(B); *see* Open Records Decision No. 25 (1974). Such records may be inspected under the statutory and the common law. *See id.*

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

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<sup>1</sup>While your correspondence with the requestor makes no reference to item L, final opinions and orders in the adjudication of all traffic citation cases in your possession for the period of 1990 to the present, we assume that you intend to release this information to the requestor.

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,



Kay Hastings  
Assistant Attorney General  
Open Records Division

KHH/mjc

Ref.: ID# 116381

cc: Mr. James Scott  
Director  
Legal Funding  
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(w/o enclosures)