



February 9, 1999

Mr. David M. Berman  
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.  
1800 Lincoln Plaza  
500 North Akard  
Dallas, Texas 75201

OR99-0382

Dear Mr. Berman:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121948.

You represent the City of Balch Springs (the "city"). The city received a request for a copy of an opinion letter that you prepared for the city concerning a planning and zoning issue. You assert that the requested letter is protected from disclosure under section 552.107(1) of the Government Code. Section 552.107(1) protects from disclosure information that reveals client confidences to an attorney or that reveals the attorney's legal advice, opinion, and recommendation. *See* Open Records Decision No. 574 (1990). You submitted the letter at issue to this office for review. Based upon our review of the letter and your arguments, we agree that the letter is protected from disclosure under section 552.107(1).<sup>1</sup>

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,

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

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<sup>1</sup>Because we have ruled on the applicability of section 552.107 to the requested information we need not reach the other exceptions to disclosure that you raise.

Ref: ID# 121948

Enclosures: Submitted documents

cc: Mr. Gilbert Willie, Jr.  
812 E. Grubb Drive  
Mesquite, Texas 75149  
(w/o enclosures)