



June 30, 1999

Mr. John Haywood  
Law Offices of John Haywood, P.C.  
Queen Isabel Inn  
300 Garcia Street, Suite A-6  
Port Isabel, Texas 78578

OR99-1825

Dear Mr. Haywood:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 125334.

The City of Port Isabel, which you represent, received a request for information relating to the issuance of traffic citations. You state that the traffic tickets are delivered to and maintained by the Port Isabel Municipal Court.<sup>1</sup> You also assert that sections 552.101, 552.108, and 552.130 of the Government Code except the requested information from public disclosure.

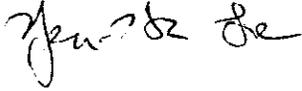
Section 552.003(b) of the Government Code excludes the judiciary from the Public Information Act. Therefore, the act neither authorizes information held by the judiciary to be withheld nor requires it be disclosed. *See* Open Records Decision No. 25 (1974). Accordingly, the requested information is not subject to public disclosure under chapter 552 of the Government Code. However, Texas courts have long recognized a common-law right to copy and inspect certain judicial records. Attorney General Opinion DM-166 (1992); Open Records Decision No. 618 (1993). 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); Loc. 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).

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<sup>1</sup>For purposes of this ruling, we assume that none of the city's departments maintains the responsive traffic tickets.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le". The signature is fluid and cursive, with the first name "Yen" being the most prominent.

Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/nc

Ref.: ID# 125334

Encl.: Submitted documents

cc: Mr. Larry Lopez  
Defensive Driving Instructor  
Rio Grande Defensive Driving School  
1213 E. Harrison  
Harlingen, Texas 78550  
(w/o enclosures)