



November 15, 1999

Ms. Katherine Cary Minter  
Assistant Attorney General  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

OR99-3252

Dear Ms. Cary:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 128775.

The Office of the Attorney General (the "attorney general") received a request for all records pertaining to the requestor's child support and paternity case. You seek to withhold the requested records pursuant to, *inter alia*, section 552.101 of the Government Code.

Section 552.101 of the Government Code excepts from disclosure information that is made confidential by law, including information made confidential by statute. Chapter 231 of the Family Code pertains to the administration of Title IV-D child support programs. Chapter 231 contains the following provisions:

Sec. 231.001. DESIGNATION OF TITLE IV-D  
AGENCY.

The office of the attorney general is designated as the  
state's Title IV-D agency.

....

Sec. 231.004. TITLE IV-D REGISTRY.

The Title IV-D agency shall establish a registry for  
Title IV-D cases that shall:

- (1) receive child support payments;
- (2) maintain a record of child support paid and any  
arrearages owed under each order;

(3) distribute child support payments received as required by law; and

(4) maintain custody of official child support payment records.

....

Sec. 231.108. CONFIDENTIALITY OF RECORDS AND PRIVILEGED COMMUNICATIONS

(a) [A]ll files and records of services provided under this chapter, including information concerning a custodial parent, noncustodial parent, child, and an alleged or presumed father, are confidential.

In this instance, the requestor seeks information collected pursuant to the administration of Title IV-D child support programs under chapters 231 and 232 of the Family Code. We conclude that the requested information is confidential under section 231.108 of the Family Code. The attorney general must withhold the information at issue pursuant to section 552.101 of the Government Code.<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.

Sincerely,



Kay H. Hastings  
Assistant Attorney General  
Open Records Division

KHH/RWP/ch

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<sup>1</sup>Although the requestor contends that she has a special right of access to these records, we note that section 552.023 of the Government Code would grant her a right of access only to that information that pertained solely to herself and her minor child. Because the records at issue concern other parties, section 552.023 is inapplicable here.

Ref: ID# 128775

Encl. Submitted documents

cc: Ms. Katherine S. Jackson  
P.O. Box 201102  
Austin, Texas 78720-1102  
(w/o enclosures)