



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 17, 2013

Ms. Mariví Gambini  
Paralegal  
City of Irving  
P.O. Box 152288  
Irving, Texas 75015

OR2013-06285

Dear Ms. Gambini:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 484368.

The City of Irving (the "city") received a request for the e-mail addresses of certain municipal court judges. You claim the submitted information is not subject to the Act and is protected under rule 12 of the Texas Rules of Judicial Administration. We have considered your arguments and reviewed the submitted information.

We note the Act is applicable to information "collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body." Gov't Code § 552.002(a)(1). However, the Act's definition of "governmental body" "does not include the judiciary." *Id.* § 552.003(1)(B). Information "collected, assembled, or maintained by or for the judiciary" is not subject to the Act but instead is "governed by rules adopted by the Supreme Court of Texas or by other applicable laws and rules." *Id.* § 552.0035(a); *cf.* Open Records Decision No. 131 (1976) (applying statutory predecessor to judiciary exclusion under Gov't Code § 552.003(1)(B) prior to enactment of Gov't Code § 552.0035). You claim the submitted information should be withheld under rule 12 of the Rules of Judicial Administration, which governs the public disclosure of judicial records, which are not subject to the Act. Tex. R. Jud. Admin. 12.1, 12.3; Gov't Code §§ 552.003(a)(B), .0035(a). Rule 12.2 of the Rules of Judicial Administration defines a "judicial record" as "a record made or maintained by or for a court or judicial agency in its

regular course of business but not pertaining to its adjudicative function[.]” Tex. R. Jud. Admin. 12.2(d). In this instance, the information at issue consists of e-mail addresses of municipal court judges. You state the submitted information is contained in a database solely maintained by the city’s information technology department. Thus, the information at issue is maintained for administrative purposes by the city, which is not a court or judicial agency. Because this information is maintained by the city for administrative purposes, it does not constitute a judicial record subject to the Rules of Judicial Administration. Therefore, the submitted information is subject to the Act and may only be withheld if it is excepted from disclosure under the Act. *See* Gov’t Code §§ 552.002(a)(1), .003(1)(B). As you raise no exceptions to disclosure, the city must release the submitted information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Jennifer Burnett  
Assistant Attorney General  
Open Records Division

JB/tch

Ref: ID# 484368

Enc. Submitted documents

c: Requestor  
(w/o enclosures)