



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 4, 2014

Ms. Jordan Hale
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2014-13501

Dear Ms. Hale:

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# 531889 (OAG PIR No. 14-38965).

The Office of the Attorney General (the "OAG") received a request for a copy of a specified database and five categories of information pertaining to cases for a specified time period in which a license was administratively suspended. You state the OAG will release some of the requested information. You claim the remaining requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

Initially, we note, in his request for information, the requestor asserts a court has entered orders entitling the requestor to the information at issue. You have submitted a copy of the Modified Final Judgment (the "final judgment") in the case at issue, *Jackson v. State Office of Administrative Hearings*, Cause No. D-1-GN-06-002440 (201st Dist. Ct., Travis County, Tex., Feb. 18, 2014). In the final judgment, the court orders the Texas State Office of Administrative Hearings ("SOAH") to produce certain information at issue in the case. You contend, and we agree, the court order applies to only SOAH and not the OAG. Further, you explain the information you have submitted to our office for review is neither information

¹This letter ruling assumes the submitted representative sample of information is truly representative of the requested information as a whole. This ruling does not reach, and therefore does not authorize, the withholding of any other requested information to the extent the other information is substantially different than that submitted to this office. See Gov't Code §§ 552.301(e)(1)(D), .302; Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

maintained by SOAH, nor SOAH information to which the OAG has access pursuant to any contractual relationship between the OAG and SOAH. Accordingly, we conclude the requestor does not have a right of access to the information at issue pursuant to the court order at issue.

Section 552.101 of the Government Code exempts from disclosure information that is made confidential by law, including information made confidential by statute. Gov't Code § 552.101. Chapter 231 of the Family Code pertains to the administration of Title IV-D child support programs and provides the OAG is designated as the state's Title IV-D agency. *See* Fam. Code § 231.001.

Section 231.108(a) of the Family Code provides:

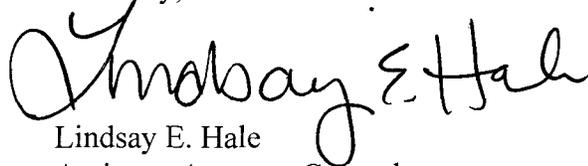
(a) . . . all files and records of services provided under this chapter, including information concerning a custodial parent, noncustodial parent, child, and an alleged or presumed father, are confidential.

Id. § 231.108(a). You explain the information at issue consists of Title IV-D participants' information contained in the files and records of the OAG's Child Support Division obtained and maintained as part of its administration of child support services under chapter 231 of the Family Code. The exceptions described in section 231.108(c) do not apply. Therefore, we conclude the OAG must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 231.108 of the Family Code.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Lindsay E. Hale
Assistant Attorney General
Open Records Division

LEH/akg

Ref: ID# 531889

Enc. Submitted documents

c: Requestor
(w/o enclosures)