



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 20, 2015

Ms. Ann-Marie Sheely
Assistant County Attorney
County of Travis
P.O. Box 1748
Austin, Texas 78767

OR2015-09884

Dear Ms. Sheely:

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# 567594.

The Travis County District Clerk's Office (the "district clerk's office") received a request for any records of search warrants from 2008 directed to the Office of the Governor. The district clerk's office claims the requested information is either not subject to the Act or excepted from disclosure under section 552.107(2) of the Government Code. We have considered your arguments and reviewed the submitted information.

The Act applies to information "written, produced, 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, a "governmental body" under the Act does not include the judiciary. *Id.* § 552.003(1)(B). Information that is "written, produced, 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.* Attorney General Opinions DM-166 (1992), H-826 (1976); Open Records Decision Nos. 610 (1992), 572 (1990), 513 (1988). You inform us the information requested is from specific case files of a district court, and that the district clerk's office maintains the requested information as custodian of the court's records. Thus, you assert the district clerk's office maintains the requested information as an agent of the judiciary. Accordingly, based on your representations, we conclude the

requested information consists of records of the judiciary that are not subject to the Act, and the district clerk's office is not required to release it in response to the request for information.¹

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/cbz

Ref: ID# 567594

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we do not address the district clerk's office's other argument to withhold this information.