



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 21, 2015

Mr. Tim Wyatt
Public Information Officer
Collin County
2300 Bloomdale Road, #4154
McKinney, Texas 75071

OR2015-17462

Dear Mr. Wyatt:

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# 576570.

The Collin County Court at Law Judge's Office (the "judge's office") received a request for all e-mail records over a specified time period (1) containing a specified address or the names of two specified individuals, (2) addressed to or from a named attorney or any representative of a named law firm, or (3) addressed to or from any and all representatives of the Collin County Constable, Precinct 3; and (4) all telephone call records from the judge's office over a specified time period. You state you have released some information to the requestor. You assert the submitted information consists of judicial records governed by rule 12 of the Rules of Judicial Administration of the Texas Supreme Court. Alternatively, you claim the submitted information is excepted from disclosure under sections 552.101, 552.103, 552.108, 552.109, 552.117, 552.137, and 552.152 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.

The Act is applicable to information "written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business: (1) 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). Therefore, the Act neither authorizes information held by the judiciary to be withheld, nor does it require such information be disclosed. *See* Open Records Decision No. 25 (1974). The instant request was addressed to the judge’s office and seeks information maintained by the judge’s office. Accordingly, we conclude the submitted information is not subject to the Act and need not be released in response to this 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,



Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/akg

Ref: ID# 576570

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we need not address your remaining arguments against disclosure of the submitted information.