



January 7, 2016

Mr. Robert J. Davis  
Counsel for the Collin County District Clerk's Office  
Matthews, Shiels, Pearce, Knott, Eden & Davis, L.L.P.  
8131 LBJ Freeway, Suite 700  
Dallas, Texas 75251

OR2016-00558

Dear Mr. Davis:

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# 593363 (File No. 1600/66641).

The Collin County District Clerk's Office (the "district clerk's office"), which you represent, received a request for (1) all orders issued by the Collin County District Courts during a specified time period pertaining to the sealing of the names and personal information of grand jurors; (2) all orders issued by a named judge or any other judge pertaining to a specified grand jury; (3) communications sent to all potential grand jurors in Collin County for a specified term; (4) communications sent to all potential grand jurors in Collin County for a specified time period; (5) information sufficient to identify the grand jury assignments or rotations for the grand jury of the Collin County District Court during a specified time period; and (6) the official court minutes for a specified court during a specified time period. You state you have released some information to the requestor. You argue the submitted information is not subject to the Act. In the alternative, you claim a portion of the submitted information is exempted from disclosure under sections 552.101 and 552.107(2) of the Government Code.<sup>1</sup> We have considered the submitted arguments and reviewed the submitted information, a portion of which constitutes a representative sample.<sup>2</sup>

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<sup>1</sup>Although you do not cite to section 552.107(2) of the Government Code in your brief, we understand you to raise this exception based on your argument.

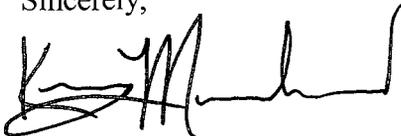
<sup>2</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

The Act is applicable to information that is “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, 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 is instead “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 inform us the submitted information is maintained by the district clerk’s office solely as an agent of the judiciary. Accordingly, we conclude the submitted information is not subject to the Act and need not be released in response to this request for information.<sup>3</sup>

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](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,



Kenny Moreland  
Assistant Attorney General  
Open Records Division

KJM/sdk

Ref: ID# 593363

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>3</sup>As we are able to make this determination, we need not address your remaining arguments against disclosure of the submitted information.