



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 4, 2016

Ms. Ashley D. Fourt
Assistant Criminal District Attorney
Tarrant County
401 West Belknap, 9th Floor
Fort Worth, Texas 76196-0201

OR2016-07422

Dear Ms. Fourt:

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# 604107.

The Tarrant County Domestic Relations Office (the "domestic relations office") received a request for certain payments made to three named individuals during a specified time period. You state the domestic relations office does not have some of the requested information.¹ You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses information protected by other statutes. Chapter 231 of the Family Code pertains to the administration of Title IV-D child support programs. Section 231.108 provides, in relevant part:

¹The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

(a) Except as provided by Subsection (c), all files and records of services provided by the Title IV-D agency under this title, including information concerning a custodial parent, a noncustodial parent, a child, or an alleged or presumed father, are confidential.

(b) Except as provided by Subsection (c), all communications made by a recipient of financial assistance under Chapter 31, Human Resources Code, or an applicant for or recipient of services under this chapter are privileged.

(c) The Title IV-D agency may use or release information from the files and records, including information that results from a communication made by a recipient of financial assistance under Chapter 31, Human Resources Code, or by an applicant for or recipient of services under this chapter, for purposes directly connected with the administration of the child support, paternity determination, parent locator, or aid to families with dependent children programs. The Title IV-D agency may release information from the files and records to a consumer reporting agency in accordance with Section 231.114.

Fam. Code § 231.108(a). In this instance, the requestor seeks information concerning obligors and obligees of child support payments. In Open Records Decision No. 417 (1984), this office addressed the confidentiality of the names and addresses of persons making child support payments through the county, and concluded that the name and address of a parent paying child support through the county which come from files maintained pursuant to a contractual delegation of authority remain confidential in the county files. You inform us, the information at issue is maintained by domestic relations office on behalf of the Office of the Attorney General (the "OAG") pursuant to a contract between the county and the OAG to administer a Title IV-D child support collection program. Thus, we understand the submitted information is maintained by the county pursuant to the administration of Title IV-D child support programs under chapter 231 of the Family Code, and, therefore, the information is confidential under section 231.108 of the Family Code. Accordingly, the domestic relations office 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,

A handwritten signature in black ink that reads "Britni Ramirez". The signature is written in a cursive style with a large, looping 'y' at the end.

Britni Ramirez
Assistant Attorney General
Open Records Division

BR/bhf

Ref: ID# 604107

Enc. Submitted documents

c: Requestor
(w/o enclosures)