



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 22, 2016

Mr. Allen Ray Moody  
County Attorney  
County of Edwards  
P.O. Box 707  
Rocksprings, Texas 78880

OR2016-16593

Dear Mr. Moody:

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# 619540.

The Edwards County and District Clerk's Office (the "county") received a request for notices of a specific meeting of the county grand jury. The county claims the submitted information is not subject to the Act. We have considered the county's arguments and reviewed the submitted information.

The county asserts the submitted information is not subject to the Act because it was prepared by the grand jury and is held by the county as an agent of the grand jury. The judiciary is expressly excluded from the requirements of the Act. Gov't Code § 552.003(1)(B). This office has determined for purposes of the Act, a grand jury is a part of the judiciary and therefore not subject to the Act. *See* Open Records Decision No. 411 (1984). Further, records kept by a governmental body that is acting as an agent for a grand jury are considered records in the constructive possession of the grand jury, and are also not subject to the Act. *See* Open Records Decisions Nos. 513 (1988), 411, 398 (1983). Thus, based on your representation the information at issue is held by the county as an agent of the grand jury, we conclude this information consists of records of the judiciary not subject to disclosure under the Act. Therefore, the county is not required to release the submitted information in response to the instant request.

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,



Rahat Huq  
Assistant Attorney General  
Open Records Division

RSH/som

Ref: ID# 619540

Enc. Submitted documents

c: Requestor  
(w/o enclosures)