



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

April 24, 2017

Mr. Mark C. Kratovil  
Assistant Criminal District Attorney  
Tarrant County  
401 West Belknap  
Fort Worth, Texas 76196-0201

OR2017-08631

Dear Mr. Kratovil:

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# 659104.

The Tarrant County Criminal District Attorney's Office (the "district attorney's office") received a request for specified categories of information related to the Collections Improvement Program of the Texas Judicial Branch's Office of Court Administration. The district attorney's office states it does not have some of the requested information.<sup>1</sup> The district attorney's office also states it has released some of the requested information, but claims the submitted information is either not subject to the Act or excepted from disclosure under sections 552.101, 552.130, and 552.137 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.<sup>2</sup>

The district attorney's office states the submitted information consists of records maintained by the Tarrant County Clerk and Tarrant County District Clerk on behalf of the judiciary.

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<sup>1</sup>The Act does not require a governmental body to disclose information that did not exist when the request for information was received. *See generally Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dism'd).

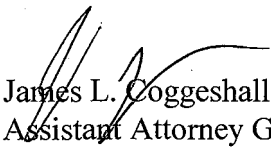
<sup>2</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See Open Records Decision Nos. 499 (1988), 497 (1988)*. This open records letter does not reach, and therefore does not authorize the withholding of, any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

Records of the judiciary are not subject to required public disclosure under the Act.<sup>3</sup> *See* Gov't Code §§ 552.003(1)(A), (B) (definition of "governmental body" under Act specifically excludes the judiciary), .021 (Act generally requires disclosure of information maintained by "governmental body"). Based on these representations and our review, we find the submitted documents consist of records of the judiciary that are not subject to release under the Act. Therefore, the district attorney's office is not required to release the submitted documents in response to the request for information.<sup>4</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,



James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/bw

Ref: ID# 659104

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>3</sup>Records of the judiciary may be public pursuant to other sources of law. Attorney General Opinions DM-166 at 2-3 1992) (public has general right to inspect and copy judicial records), H-826 (1976); Open Records Decision No. 25 (1974); *see Star Telegram, Inc. v. Walker*, 834 S.W.2d 54, 57 (Tex. 1992) (documents filed with courts are generally considered public and must be released).

<sup>4</sup>As our ruling is dispositive, we do not reach the district attorney's office's arguments to withhold this information under the Act.