



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

November 25, 2019

Mr. Daniel W. Ray  
Counsel for Hunt County  
Scott, Ray & Sullivan, P.L.L.C.  
P.O. Box 1353  
Greenville, Texas 75403-1353

OR2019-33327

Dear Mr. Ray:

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# 798444.

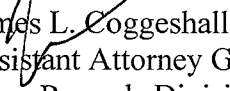
The Hunt County District Clerk's Office (the "district clerk's office"), which you represent, received a request for information pertaining to a specified charge. The district clerk's office claims the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

The Act is applicable to information "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). 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 request was submitted to the district clerk's office

and seeks records filed with the court and maintained by the district clerk's office as an agent of the judiciary. Accordingly, we conclude the requested information is not subject to the Act and need not be released in response to this request for information.<sup>1</sup>

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/gw

Ref: ID# 798444

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup> As we are able to make this determination, we do not address the arguments of the district clerk's office against disclosure of the information.