



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 17, 2020

Mr. Craig M. Price  
Assistant Criminal District Attorney  
Grayson County  
200 South Crockett Street, Suite 116A  
Sherman, Texas 75090

OR2020-08381

Dear Mr. Price:

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# 817562.

The Grayson County Clerk's Office (the "clerk's office") received a request for all records related to a specified cause number. You claim the requested information is not subject to the Act. We have considered your argument and reviewed the submitted information.

The Act is applicable to information "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 section 552.003(1)(B) prior to enactment of section 552.0035 of the Government Code). Therefore, the Act neither authorizes information held by the judiciary to be withheld nor requires such information be disclosed. *See* Open Records Decision No. 25 (1974). Upon review, we find the request was addressed to the "clerk of court" and seeks records maintained by the clerk's office as an agent of the judiciary. As such, the requested information is not subject

to the Act. Accordingly, the clerk's office need not release the requested information in response to the request.<sup>1</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 <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,

Alexandra C. Burks  
Attorney  
Open Records Division

ACB/jxd

Ref: ID# 817562

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup> We note records of the judiciary may be public under other sources of law. *See, e.g.*, Gov't Code § 29.007(d)(4) (complaints filed with municipal court clerk); *see id.* § 29.007(f) (municipal court clerks shall perform duties prescribed by law for county court clerk); Loc. Gov't Code § 191.006 (records belonging to office of county clerk shall be open to public unless access restricted by law or court order); *see also 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); Attorney General Opinions DM-166 (1992) at 2-3 (public has general right to inspect and copy judicial records), H-826 (1976); ORD 25.