



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

February 27, 1990

Honorable Val Clark Beard  
Brewster County Attorney  
P.O. Box 668  
Alpine, Texas 79831

OR90-088

Dear Ms. Beard:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8324.

Brewster County received an open records request for all correspondence between the county and its law firm concerning the litigation of a particular case, and for all information contained in the case file.

We have considered the exceptions you claimed, specifically sections 3(a)(1), 3(a)(3) and 3(a)(7), and have reviewed the documents at issue. We understand you to seek to withhold only the documents requested in Item No. 4. The correspondence between the county's attorney and the law firm representing the county, including drafts of motions and pleadings, are protected from disclosure by the attorney-client privilege as incorporated in section 3(a)(1). Previous determinations of this office resolve the issue concerning this correspondence. See Open Records Decision Nos. 380 (1983); 210 (1978); 200 (1978) (copies enclosed). For this reason, you may withhold the requested information.

As we determine that the information may be withheld under section 3(a)(1), and as you indicated that all of the other requested information has been released to the requestor, we do not address the applicability of the other sections you cite.

Because case law and prior published open records decisions resolve your request, we are resolving this matter

with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-088.

Yours very truly,

*David Newton*

David A. Newton  
Assistant Attorney General  
Opinion Committee

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Ref.: ID# 8324, 8294

Enclosure: Open Records Decision Nos. 380; 310; 200

cc: Fred B. Vogt, M.D.  
705 North Second Street  
Alpine, Texas 79830