



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

February 6, 1996

Mr. Thomas F. Keever  
Assistant District Attorney  
Chief, Civil Section  
Dallas County  
Administration Building - 411 Elm Street  
Dallas, Texas 75202

OR96-0147

Dear Mr. Keever:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 34406.

Dallas County (the "county") received a request for five months of daily agendas for Kenneth A. Mayfield, a county commissioner. You explain that Mr. Mayfield is a licensed attorney who also maintains a private law practice separate and apart from his county offices. So that county staff can compile and maintain a daily appointment schedule for Mr. Mayfield, his private law practice secretary provides county staff members with information concerning Mr. Mayfield's private appointments and court appearances. This information, and the agendas compiled from that information by the county, include the names of clients Mr. Mayfield represents in his private practice. The county supplied the requestor with the daily agendas, but redacted the names of Mr. Mayfield's clients.<sup>1</sup>

You assert that the information at issue is not subject to chapter 552 because the information is possessed in the commissioner's private rather than public capacity. We had advised you that this situation raised an issue we would address in a formal decision. In Open Records Decision No. 635 (1995) (copy enclosed), this office addressed the question of whether appointment calendars used by public officers that contain information about both official and private business are subject to chapter 552. We determined that a member of the Railroad Commission's appointment calendar listing both public and private activities was public information subject to chapter 552, and stated:

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<sup>1</sup>You state that the requestor might be satisfied to obtain agendas with the client names redacted. Since you have not notified this office that the request was withdrawn, we assume that the requestor still seeks the names of Mr. Mayfield's clients listed in the daily agendas.

Enclosures: Submitted Documents  
Open Records Decision No. 635

cc: Ms. Ann Zimmerman  
The Dallas Observer  
2130 Commerce Street  
Dallas, Texas 75201  
(w/enclosure Open Records Decision No. 635)