



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

May 15, 1997

Ms. Mary Barrow Nichols  
General Counsel  
Texas Workers' Compensation Insurance Fund  
221 W. 6th Street, Suite 300  
Austin, Texas 78701

OR97-1113

Dear Ms. Nichols:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 105797.

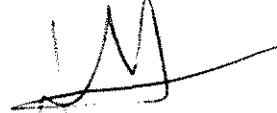
The Texas Workers' Compensation Insurance Fund (the "department") received a request for a complete copy of a personnel file and any and all correspondence, memos and notes that formed the decision to request the resignation of the requestor. You state that the department will release most of the requested information. However, you claim that some information is excepted from disclosure under section 552.107 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.107(1) excepts information that an attorney cannot disclose because of a duty to his client. In Open Records Decision No. 574 (1990), this office concluded that section 552.107 excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions; it does not apply to all client information held by a governmental body's attorney. Open Records Decision No. 574 (1990) at 5. We agree that the submitted documents comprising the notes of the attorney may be withheld under section 552.107(1).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous

determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Janet I. Monteros', with a long horizontal flourish extending to the right.

Janet I. Monteros  
Assistant Attorney General  
Open Records Division

JIM/alg

Ref.: ID# 105797

Enclosures: Submitted documents

cc: Mr. Wayne Piotrowski  
6309 Zadock Woods Drive  
Austin, Texas 78749  
(w/o enclosures)