



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 16, 1997

Ms. Laura Fiorentino Cahill
Assistant County Attorney
Harris County
1001 Preston, Suite 634
Houston, Texas 77002-1891

OR97-2305

Dear Ms. Cahill:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 109390.

The Harris County District Clerk (the "district clerk") received a request for "a list of case balances of Civil Cases in the Court Registry funds." You assert that the requested information constitutes records of the judiciary and is therefore excepted from disclosure pursuant to section 552.003(1)(B) of the Government Code. We have considered your argument and have reviewed the information submitted.

The Open Records Act does not apply to records of the judiciary. Gov't Code § 552.003(B). The requestor here seeks the current balances of civil cases in the court registry. You explain that the requested records "are under the control and supervision of the court." Therefore, you need not release the requested information under the Open Records Act. Attorney General Opinion DM-166 (1992). As records of the judiciary, however, the information may be public by other sources of law. Attorney General Opinions DM-166 (1992) at 2-3 (public has general right to inspect and copy judicial records), H-826 (1976); Open Records Decision No. 25 (1974); *see 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). We also note that records held by county clerks are open to public inspection pursuant to other statutory law. Local Gov't Code § 191.006.

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 upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Michael A. Pearle
Assistant Attorney General
Open Records Division

MAP/ch

Ref.: ID# 109390

cc: Mr. Wayne Seminoff
Wayne Seminoff Co.
65 NE 85th Street, Suite 407
Kirkland, WA 98033