



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 15, 1998

Ms. Lisa A. Brown
Bracewell & Patterson, L.L.P.
711 Louisiana Street, Suite 2900
Houston, Texas 77002-2781

OR98-1673

Dear Ms. Brown:

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# 116860.

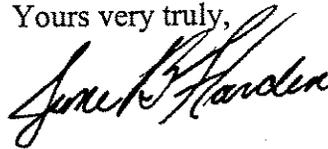
The Huffman Independent School District (the "district"), which you represent, received a request for several categories of information. You have submitted several documents that you claim are excepted from disclosure under section 552.107 of the Government Code.¹ We have considered the exception you claim and reviewed the documents at issue.

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. When communications from attorney to client do not reveal the client's communications to the attorney, section 552.107 protects them only to the extent that such communications reveal the attorney's legal opinion or advice. *Id.* at 3. In addition, basically factual communications from attorney to client, or between attorneys representing the client, are not protected. *Id.* The documents at issue contain attorney advice and opinion regarding the district's compliance with the Texas Open Meetings Act. Therefore, the district may withhold these documents from public disclosure pursuant to section 552.107.

¹You raise no exception to disclosure for the remaining requested information nor have you submitted these documents for our review. Therefore, we presume that this information has been released.

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,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref.: ID# 116860

Enclosures: Submitted documents

cc: Ms. Sheila McGee
819 Corydon
Huffman, Texas 77336
(w/o enclosures)