



April 20, 1999

Mr. William P. Chesser
Assistant City Attorney
City of Brownwood
P.O. Box 1389
Brownwood, Texas 76804

OR99-1056

Dear Mr. Chesser:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 123486.

The City of Brownwood received a request for a letter from the city attorney to Krischke and Company, P.C. You contend that the requested information is excepted from disclosure pursuant to section 552.107(1) of the Government Code. We have considered the exception you claim and have reviewed the information at issue.

Section 552.107(1) excepts from disclosure 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. ORD 574 at 5. Section 552.107(1) does not protect purely factual information, such as a factual recounting of events, or the documentation of calls made, meetings attended, and memos sent. Open Records Decision Nos. 574 (1990), 559 (1990), 462 (1987). Only portions of the submitted information are excepted from disclosure pursuant to section 552.107(1). We have marked this information accordingly. The remaining information is purely factual and must be released to the requestor.

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.

Sincerely,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 123486

encl. Marked documents

cc: Ms. Celinda Emison
Brownwood Bulletin
700 Carnegie
Brownwood, Texas 76801
(w/o enclosures)