



August 10, 1999

Ms. Maureen E. Ray
Assistant General Counsel
State Bar of Texas
P.O. Box 12487
Austin, Texas 78711-2487

OR99-2245

Dear Ms. Ray:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 126716.

The State Bar of Texas received a request for “the five most recent annual audits and letters granting recertification in Family Law” to eight individuals. You state that you have provided the requestor with the five most recent audits of the State Bar. You contend that the letters of recertification are excepted from disclosure under section 552.101 of the Government Code in conjunction with section 81.033 of the Government Code. We have considered the exception you claim and have reviewed a representative sample of the documents at issue.¹

Section 81.033(a) of the Government Code provides

All records of the state bar, except for records pertaining to grievances that are confidential under the Texas Rules of Disciplinary Procedure, and records pertaining to the Texas Board of Legal Specialization, are subject to Chapter 552.

¹We assume that the “representative sample” of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

The documents at issue are records of the Texas Board of Legal Specialization. Pursuant to section 81.033(a), the Public Information Act does not apply to records pertaining to the Texas Board of Legal Specialization. Thus, the State Bar is not required to disclose the documents at issue to the requestor under the Public Information Act.

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,

A handwritten signature in black ink that reads "Karen Hattaway". The signature is written in a cursive, flowing style.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 126716

Encl. Submitted documents

cc: Ms. Victoria Welcome
Attorney at Law
2501 Oak Lawn Avenue, Suite 360
Dallas, Texas 75219
(w/o enclosures)