



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 6, 2009

Mr. Michael G. Morris
Gary, Thomasson, Hall & Marks
P.O. Box 2888
Corpus Christi, Texas 78403-2888

OR2009-04490

Dear Mr. Morris:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 339065.

The City of Driscoll (the "city"), which you represent, received a request for a list of individuals who have requested defensive driving during a specified time period. You claim that the submitted information is not subject to the Act. Alternatively, you claim that the submitted information is excepted from disclosure under sections 552.101, 552.103, and 552.130 of the Government Code. We have considered your arguments and reviewed the submitted information.

Initially, you claim that the submitted information consists of records of the judiciary. Generally, the Act governs the disclosure of information maintained by or for a "governmental body." *See* Gov't Code §§ 552.002, .021. Although the Act's definition of a "governmental body" is broad, it specifically excludes "the judiciary." *See* Gov't Code § 552.003(1)(B); Open Records Decision No. 25 (1974). You state that the submitted information consists of letters from individuals asking the municipal court judge to allow them to take a defensive driving course. You also state that the submitted information is part of the judicial record. Based on your representations, we find the submitted information is not subject to public disclosure under the Act and need not be released to the requestor. *See* Gov't Code § 552.0035 (access to information maintained by or for judiciary is governed by rules adopted by supreme court); Tex. R. Jud. Admin. 12 (public access to judicial records).

As our ruling is dispositive, we need not address your remaining arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Schulz', is written over a horizontal line. The signature is fluid and cursive, with a prominent peak in the middle.

Chris Schulz
Assistant Attorney General
Open Records Division

CS/cc

Ref: ID# 339065

Enc. Submitted documents

cc: Requestor
(w/o enclosures)