



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 20, 2011

Mr. Reg Hargrove
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2011-14621A

Dear Mr. Hargrove:

This ruling examines Open Records Letter No. 2011-14621 (2011) and whether certain information is subject to required public disclosure under chapter 552 of the Government Code. While section 552.301 of the Public Information Act generally prohibits a governmental body from asking for a reconsideration of the attorney general's decision, this office will issue a corrected ruling when an error has been made in the ruling process. *See Gov't Code § 552.301(f); see generally id. § 552.011* (providing Office of the Attorney General may issue a decision to maintain uniformity in application, operation, and interpretation of this chapter). Consequently, this decision serves as the correct ruling and is a substitute for the decision issued on October 7, 2011.

The Office of the Attorney General (the "OAG") received a request for "a listing of all child support cases in which a 'Notice of Change of Status' was filed beginning January 1, 2007" to the date of the request. The OAG released some of the information and asserts the cause numbers and names and addresses of custodial and noncustodial parents are excepted from disclosure under section 552.101 of the Government Code. We have considered the OAG's claimed exception to disclosure and have reviewed the submitted information. We have also received and considered the requestor's comments. *See Gov't Code § 552.304* (interested party may submit written comments regarding availability of requested information).

Section 552.101 of the Government Code excepts from disclosure information that is made confidential by law, including information made confidential by statute. *Id.* § 552.101.

Chapter 231 of the Family Code pertains to the administration of Title IV-D child support programs and provides the OAG is designated as the state's Title IV-D agency. *See* Fam. Code § 231.001.

Section 231.108(a) of the Family Code provides:

(a) . . . all files and records of services provided under this chapter, including information concerning a custodial parent, noncustodial parent, child, and an alleged or presumed father, are confidential.

Id. § 231.108(a). In this instance, the requestor seeks the Title IV-D participants' information contained in the files and records of the OAG's Child Support Division obtained and maintained as part of its administration of child support services under chapter 231 of the Family Code. The exceptions described in section 231.108(c) do not apply. Therefore, we conclude the information at issue is confidential under section 231.108 of the Family Code and the OAG must withhold it.

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, toll free, at (888) 672-6787.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 439537

c: Requestor