



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 9, 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

OR2011-16570

Dear Mr. Hargrove:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 436549 (PIR No. 11-31469).

The Office of the Attorney General (the "OAG") received a request for the bad debt report for notices sent since January 1, 2005. The OAG asserts the marked information is excepted from disclosure under sections 552.101 and 552.136 of the Government Code. We have considered the OAG's claimed exceptions to disclosure and have reviewed the submitted sample of information.¹ 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.*

¹We assume 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 those records contain substantially different types of information than that submitted to this office.

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 marked information is confidential under section 231.108 of the Family Code and the OAG must withhold it. Because section 231.108 of the Family Code is dispositive, we do not address the OAG's section 552.136 assertion.

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# 436549

Enc: Submitted document

c: Requestor
(w/o enclosure)