



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 27, 2013

Ms. Shannon C. Francis  
Assistant County Attorney  
County of Williamson  
405 M.L.K. Street #7  
Georgetown, Texas 78626

OR2013-11007

Dear Ms. Francis:

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# 491557.

The County of Williamson (the "county") received a request for the names and addresses of all families that have participated in the Community Resource Coordination Group ("CRCG") process in 2012 and 2013. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

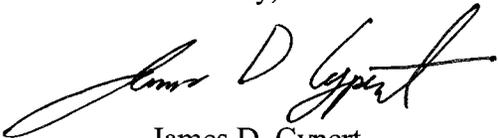
Initially, you argue some of the submitted information is not responsive to the instant request, because it is unclear which families "participated" in the CRCG. You state some case referrals are submitted through a specific e-mail account. You further state many of the referrals are not staffed by the CRCG, meaning that they are not reviewed by the CRCG and a service plan is not developed. You assert there is no information in the e-mail account to indicate which referrals were staffed and which were not. We note a governmental body has a duty to make a good-faith effort to relate a request for information to information the governmental body holds. Open Records Decision No. 561 (1990). Upon review, we find the fact that a family has a case referral being submitted to this e-mail account means they are "participating" in the CRCG process for purposes of this request. Accordingly, we determine the information pertaining to all families in the e-mail account is responsive. However, we also note the requestor only seeks the names and addresses of the families. Thus, information beyond the names and addresses of the families is not responsive to the instant request. The county need not release non-responsive information in response to this request, and this ruling will not address that information.

Section 552.101 of the Government Code excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Gov’t Code § 552.101. This section encompasses the doctrine of common-law privacy. Common-law privacy protects information that (1) contains highly intimate or embarrassing facts, the publication of which would be highly objectionable to a reasonable person, and (2) is not of legitimate concern to the public. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976). To demonstrate the applicability of common-law privacy, both prongs of this test must be satisfied. *Id.* at 681-82. The type of information considered intimate or embarrassing by the Texas Supreme Court in *Industrial Foundation* included information relating to sexual assault, pregnancy, mental or physical abuse in the workplace, illegitimate children, psychiatric treatment of mental disorders, attempted suicide, and injuries to sexual organs. *Id.* at 683. You state the children and families that are referred to the CRCG are those dealing with mental health diagnoses, involvement with Child Protective Services, and/or involvement in the juvenile justice system. Accordingly, we find the responsive information is highly intimate or embarrassing and not of legitimate public concern. Therefore, the county must withhold the responsive information under section 552.101 of the Government Code in conjunction with common-law privacy.<sup>1</sup>

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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



James D. Cypert  
Assistant Attorney General  
Open Records Division

JDC/ac

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<sup>1</sup>As our ruling is dispositive, we need not address your remaining arguments against disclosure.

Ref: ID# 491557

Enc. Submitted documents

c: Requestor  
(w/o enclosures)