

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 19-004

RESPONDENT: Dallas County District Courts

DATE: June 20, 2019

SPECIAL COMMITTEE: Judge Stephen B. Ables, Chairman; Judge Olen Underwood; Judge Billie Ray Stubblefield; Judge Sid Harle; Judge Missy Medary; Judge Dean Rucker; Judge David L. Evans; Judge Kelly G. Moore; Judge Alfonso Charles; Judge Susan Brown

On May 18, 2019, Petitioner filed a Rule 12 appeal regarding the denial of a request for information Petitioner sent to the Dallas County District Courts Administrator (the “Courts Administrator”) and the Dallas County Local Administrative Judge (the “LAJ”) for records pertaining to the administration and personnel of the Dallas County District Court Administration Office (the “Office”). Petitioner asserts that the Courts Administrator and the LAJ failed to timely and appropriately respond to his request. The LAJ informed us in his response that he believed that the matter had been resolved prior to the appeal and that he had sent another email since the filing of the appeal informing Petitioner that he could view any documents maintained in the Office at a time that is convenient for Office staff.

We first determine whether Rule 12 applies to Petitioner’s request for judicial records. In Rule 12 Appeal Decision No. 08-005, the special committee considered an appeal from a justice on a court of appeals who requested and was denied a copy of a letter sent by the chief justice to other governmental entities. The special committee concluded that a request for records from a justice of a court of appeals to another justice on the court was not subject to Rule 12 because it was not a request for public access to information in the judiciary. *See* Rule 12 Decision No. 08-005.

Petitioner is a district judge in Dallas County who, acting with the other district judges in the county, has the responsibility and the authority by majority vote to appoint and set the salary of the Court Administrator and to submit the budget of the Office to the Dallas County Commissioners. Because of the unique relationship the district judges have with the Office and the Court Administrator we conclude that the request submitted by Petitioner is an internal request for records maintained by the Office, not a request from a member of the public. Thus, Petitioner’s request for records pertaining to the Office’s administration and personnel is not a request for public access under Rule 12. Accordingly, we are without authority to issue a decision in this matter.