

## **Before the Presiding Judges of the Administrative Judicial Regions**

### **Per Curiam Rule 12 Decision**

**APPEAL NO.:** 06-003

**RESPONDENT:** Judge Roberta A Lloyd, Presiding Judge, Harris County Civil Courts at Law; and Judge Sherman A. Ross, Presiding Judge, Harris County Criminal Courts at Law

**DATE:** October 13, 2006

**SPECIAL COMMITTEE:** Judge B. B. Schraub, Chairman; Judge John Ovard; Judge David Peoples; Judge Jeff Walker; Judge Dean Rucker

Applicant requested electronic copies of all e-mails sent to and by every criminal, civil and probate county court judge in Harris County from January 1, 2006 through August 9, 2006. The presiding judges provided an estimate of the costs of compliance for a two-week period which included labor charges at \$15 per hour, overhead charges of 20% of the labor charges, and a diskette cost of one dollar, for a total cost of \$1,297. Applicant appealed the cost assessment under Rule 12.7(c).

Rule 12.7 prescribes that, in the absence of a relevant statute, the costs for providing copies of judicial records are determined in accordance with the rules published in the Texas Administrative Code (TAC) applicable to state agencies providing copies under the Public Information Act. Rule 12.7 references Sections 111.62, 111.63, 111.69, and 111.70, Title 1, TAC; those provisions now are found in Chapter 70, Title 1, TAC. Respondent has provided a detailed description of the methodology used to compute the cost estimate, and has demonstrated compliance with Rule 12.7(a)(2) and Rule 70.3 of the Texas Administrative Code. Accordingly, we sustain the cost assessment and deny the appeal.