

# Before the Presiding Judges of the Administrative Judicial Regions

## Per Curiam Rule 12 Decision

**APPEAL NO.:** 07-005

**RESPONDENT:** Juan Silva and Rudy Cantu, Willacy County Justices of the Peace

**DATE:** September 14, 2007

**SPECIAL COMMITTEE:** Judge B. B. Schraub, Chairman; Judge John Ovard; Judge David Peebles; Judge Olen Underwood; Judge Kelly Moore

Applicant requested the following information from all Willacy County elected officials:

“I respectfully request to see copies of all current financial disclosures (last filed), appropriate licensing, permits and certifications for all County employees, to include all departments, and elected officials who perform tasks requiring financial disclosure, certification, license or permit. Such tasks are to include operation of equipment and vehicles, public works, tax assessment and collection, voter registration, law enforcement and prosecution, including all radio operations, counseling, and all other facets of County operation and budget. Additionally, in respect to appropriate statues [sic] and laws designed to protect the privacy of government employees, any necessary personal information may be blacked out or otherwise deleted.

“It is my desire to ascertain that all elected officials and employees of Willacy County have filed the appropriate documents and obtained the correct credentials to perform the tasks to which they have been elected or assigned, and that said credentials were in place at the time of accepting the duties of office, assignment or appointment. Also I wish to ascertain that all continuing education has been completed or is being kept current.”

Judge Silva and Judge Cantu did not respond to the request or to the petition from denial of the request. The request was for records “made or maintained by or for the [justice of the peace] court in its regular course of business but not pertaining to its adjudicative function.” Rule 12.2(d). As such, the request was for judicial records. The judges never claimed an exemption from disclosure, and we see no applicable exemptions in Rule 12. Accordingly, we grant the petition for access to the requested judicial records.