

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 15-001

RESPONDENT: 325th District Court

DATE: March 19, 2015

SPECIAL COMMITTEE: Judge Stephen B. Ables, Chairman; Judge Mary Murphy; Judge Olen Underwood; Judge Billy Ray Stubblefield; Judge J. Rolando Olvera

Petitioner requested emails maintained by Respondent that included certain terms in the subject line or the body of the message. Respondent provided all records responsive to the request except for three pages of emails that Respondent believes are exempt from disclosure under Rule 12.5(b) and (f) of the Rules of Judicial Administration and Petitioner appealed. Respondent submitted the three withheld pages for our *in camera* review.

The two exemptions raised by Respondent, Rule 12.5(b) and (f), read as follows:

(b) *Security Plans.* Any record, including a security plan or code, the release of which would jeopardize the security of an individual against physical injury or jeopardize information or property against theft, tampering, improper use, illegal disclosure, trespass, unauthorized access, or physical injury.

(f) *Internal Deliberation on Court of Judicial Administration Matters.* Any record relating to internal deliberations of a court or judicial agency, or among judicial officers or members of a judicial agency, on matters of court or judicial administration.

We have reviewed the records submitted by Respondent and find that one of the emails contains information that is exempt from disclosure under Rule 12.5(b) and another is exempt from disclosure under Rule 12.5(f). We find that the third email is not exempt under either Rule 12.5(b) or (f) and should be released.

In summary, we sustain the denial of access to two of the pages submitted for our *in camera* review because they are exempt from disclosure under Rule 12.5(b) and (f), and we grant the petition for access to the third page.