

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-026

RESPONDENT: Presiding Judge, Sixth Administrative Judicial Region

DATE: October 9, 2026

SPECIAL COMMITTEE: Judge David L. Evans, Chair; Judge Sid Harle; Judge Missy Medary; Judge Ben Woodward; Judge Ana Estevez

Petitioner sent a four-part electronic message to Respondent and other public officials concerning several cases involving either Petitioner or Petitioner's minor children. Petitioner in part requested these public officials to compile, review, and comment on the various records sought. In response to the request, Respondent in part declined to create records and in part declined to produce the records sought on the grounds that the records were not "judicial records" under Rule 12.2(d). In its petition for review, Petitioner clarified that it was not seeking the creation of new records but instead was seeking existing, responsive records. Respondent did not reply to the petition.

The threshold issue in a Rule 12 appeal is whether the requested records are "judicial records." A "judicial record" subject to Rule 12 is one that is "made or maintained by or for a court or judicial agency in its regular course of business but not pertaining to its adjudicative function, regardless of whether that function relates to a specific case. A record of any nature created, produced, or filed in connection with any matter that is or has been before a court is not a judicial record." Rule 12.2(d). Records that pertain to a court's adjudicative function are not judicial records covered by Rule 12; they are case records. We agree with Respondent that the records sought by Petitioner are not judicial records under Rule 12.

Accordingly, we can neither grant the petition in whole or in part nor sustain denial of access to the requested records, and the appeal is dismissed.