Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-030

RESPONDENT: Williamson County Justice of the Peace, Pct. 4

DATE: October 30, 2026

SPECIAL COMMITTEE: Judge David L. Evans, Chairman; Judge Missy Medary; Judge Kirsten Cohoon; Judge Ben Woodward; Judge Susan Brown

Petitioner requested from Respondent various records concerning a court matter involving Petitioner as well as records identifying or referencing Petitioner about disturbances caused by or safety threats posed by Petitioner, including any requests or discussions for security assistance made by Respondent. In response to Petitioner's request, counsel for Respondent sought clarification from Petitioner on its request. Petitioner explained that it was seeking "to identify concerning any alleged prior disturbance, anticipated disturbance, disruptive or threatening conduct, behavioral concern, safety or security concern, trespass concern, or actual or anticipated need for law-enforcement or security assistance involving me, including the factual basis for any such characterization." Petitioner listed an approximately one-year timeframe for the records. Respondent thereafter declined Petitioner's request, citing Rule 12.5(f) (*Internal Deliberations on Court or Judicial Administration Matters*), Rule 12.5(i) (*Information Confidential Under Other Law*), Rule 12.5(c) (*Personnel Information*), and Rule 12.5(j) (*Litigation or Settlement Negotiations*). Petitioner timely filed a petition for review, and Respondent submitted a response to the petition. In its response, Respondent expounded upon the theories it advanced to withhold records from Petitioner. Respondent also submitted the withheld records for *in camera* review. After receiving a copy of Respondent's response to the petition, Petitioner submitted a supplemental filing clarifying that it was not seeking "any personal cellular telephone, home address, family information, unrelated personal communication, or other protected private information" from Respondent.

Respondent has advanced several theories to justify its withholding, including that some of the withheld materials are covered by the attorney-client privilege. Before addressing Respondent's exemption claims, we first consider Rule 12's applicability to the record marked as privileged attorney-client material. Texas Rule of Evidence 503 Rule 12.3(a)(1)(c) of the Rules of Judicial Administration provides that Rule 12 does not apply to records that are subject to a rule of evidence, and attorney-client communications that are privileged under Rule 503 of the Rules of Evidence are not subject to Rule 12. *See* Rule 12 Decision Nos. 08-006, 22-001, 22-007. The attorney-client privilege protects confidential communications between or among clients, client representatives, lawyers, and lawyer representatives that are made to further the rendition of professional legal services. Tex. R. Evid. 503(b)(1). A communication is considered confidential if it was not intended to be disclosed to third persons other than persons to whom the disclosure was made to further the rendition of legal services to the client or reasonably necessary to transmit the communication. Tex. R. Evid. 503(a)(5). We have reviewed the record submitted by Respondent marked as privileged in the *in camera* materials and conclude that it is an attorney-client communication, that it is privileged under Texas Rule of Evidence 503(b)(1), and that Rule 12 does not apply to this record in its entirety.

Next, we consider the other *in camera* record submitted to us: a document reflecting certain call log information. Respondent, in its response to the petition, argues that the information highlighted in the withheld record is not subject to disclosure under Rule 12.5(c) (*Personnel Information*) and Rule 12.5(d) (*Home Address and Family Information*). At the same time, this is the same information that Petitioner has clarified that it was not seeking from Respondent. Respondent does not claim that the entire document reflecting the covered information should be withheld. Respondent's redaction of the information highlighted in the produced record, combined with Petitioner's clarification of what it seeks, convinces us that there is no unresolved withholding to consider, and we grant Petitioner access to the remainder of the redacted, responsive document submitted to us for *in camera* review.

In sum: as to the attorney-client privileged materials withheld by Respondent, we can neither grant the petition nor affirm the denial of access to the record, as Rule 12 does not apply to the record. And as to the second record withheld by Respondent, we grant Petitioner access to the document in redacted form, as highlighted by Respondent in its *in camera* submission.