Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-032

RESPONDENT: Collin County District Court Judges

DATE: November 4, 2026

SPECIAL COMMITTEE: Judge David Evans, Chair; Judge Robert Trapp; Judge Sid Harle; Judge Ana Estevez; Judge Alfonso Charles

On August 21, 2026, Petitioner requested from Respondents records showcasing "the procedures by which the public reaches the grand jury." Petitioner referenced a letter it had previously sent to Respondents indicating that Petitioner was "gather[ing] evidence that [it] intended to present to a Collin County grand jury" as permitted by Article 20A.051, Code of Criminal Procedure (*Duties of Grand Jury*). Petitioner stressed that it wanted procedural content records and not protected content records. In a September 4 response to the request, the Local Administrative Judge (LAJ) for the Respondents declined to provide Petitioner information pertaining to the Respondents' adjudicative functions. The LAJ further advised Petitioner that the Respondents did not have any "judicial records" responsive to the request. Petitioner timely filed an appeal in part challenging Respondents' "no responsive judicial records" replies to the requests. Respondents submitted a reply to the petition that requested the dismissal of the appeal but the submission arrived with a stray blank page and a content gap, and it does not otherwise address whether Respondents have provided Petitioner with any or all responsive records or whether none exist.

If a requested record does not exist, a respondent's inability to produce a requested record is not a denial of access to judicial records under Rule 12 and the Rule 12 appeals process does not apply to the request. *See*, *e.g.*, Rule 12 Dec. Nos. 17-015, 17-020, 23-003, 23-006, 23-010, 25-007, 26-003, 26-004. Respondents have informed the Petitioner that they lack records responsive to Petitioner's August 21 request. Although Respondents have submitted a reply to the petition, the reply appears incomplete and does not state whether there are or are not judicial records responsive to the request. Accordingly, we grant Respondents 10 business days, from the date of this decision, to inform the special committee whether there are or are not judicial records responsive to Petitioner's request. If Respondents confirm there are not any responsive judicial records, the appeal is dismissed. If there are responsive judicial records, Respondents should either disclose them or provide a basis for withholding them from Petitioner.