# Before the Presiding Judges of the Administrative Judicial Regions

# Per Curiam Rule 12 Decision

**APPEAL NO.:** 26-033

**RESPONDENT:** 512th District Court, Williamson County

**DATE:** November 18, 2026

**SPECIAL COMMITTEE:** Judge David Evans, Chair; Judge Ray Wheless; Judge Missy Medary; Judge Kirsten Cohoon; Judge Ben Woodward

On September 9, 2026, Petitioner submitted, via Williamson County's Public Information email address, a request for records "concerning the courtroom audio/AV system serving the 512th Judicial District Court, together with related court-reporter financial and payment records." Petitioner further elaborated that the request concerned a certain cause held on a certain day at the Williamson County Justice Center. Petitioner broke the request into five broad categories: (1) Certain Courtroom Audio and Recording Records; (2) Audio-Recording Retention and Deletion Policies; (3) Courtroom AV System Procurement and Configuration Records; (4) Court Reporter Invoices and Rate Records for Certain Causes; and (5) Williamson County Court-Reporter Rate Records. In response to the request, Respondent determined that, for those records that fell under Rule 12 rather than the Public Information Act (PIA), the records were exempt from disclosure. Petitioner timely filed a petition for review and requested expedited review of the petition. In its petition, Petitioner informed the special committee that Williamson County disclosed certain responsive records under the PIA. Petitioner also narrowed the scope of the petition, stating that, "[t]o the extent the actual [courtroom] hearing audio, a filed court-recorder log, or another requested item is a case record," the Petitioner was not asking the special committee to compel production of those records. In response to the petition, Respondent informed the special committee that it lacks any records responsive to request Items 2, 3, 4, and 5.[1]

As an initial matter, Petitioner's request for an expedited decision is denied. Respondent has informed the special committee that it lacks records responsive to Items 2, 3, 4, and 5 in the request. 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.

With request Items 2 – 5 addressed, this would ostensibly leave request Item 1 for our consideration. Request Item 1 concerns certain courtroom audio and recording records, and Respondent argues that these records are case records not subject to Rule 12 disclosure. As we

[1] We note that Respondent's attorney, in a footnote in the reply to the petition, informed the special committee that records responsive to request Items 3, 4, and 5 had been provided to Petitioner and Petitioner confirmed in his petition that he had received certain responsive documents from Williamson County and that he was not asking the Special Committee to determine whether the County had fully complied.

have observed many times, 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). We agree with the Respondent that the Item 1 request records are case records.

Accordingly, because the Rule 12 appeals process does not apply to the records in question, the appeal is dismissed.