

**JUDICIAL BRANCH CERTIFICATION COMMISSION
ACCESS TO COMMISSION RECORDS POLICY
(Effective September 5, 2014)**

1. **Policy.** The purpose of this policy is to explain the rules and procedures that govern public access to the records and information maintained by the Judicial Branch Certification Commission.

2. **Definitions.**

- a. "Applicant" means any person applying for certification, registration, or licensure.
- b. "Commission" means the Judicial Branch Certification Commission established in Chapter 151, Government Code, and includes duly-established official advisory boards and committees of the Commission.
- c. "Director" means the Administrative Director of the Office of Court Administration or the Administrative Director's designee.
- d. "Regulated person" means a person who holds a certification, registration, or license issued by the Commission.
- e. "Rule 12" means Rule 12 of the Texas Rules of Judicial Administration.

3. **Access to Commission's Records**

As a judicial branch entity, the Commission is not a governmental body subject to the Public Information Act, Government Code Chapter 552. Rather, public access to the Commission's records is governed by Rule 12, other statutes, or the common law. The Director is the Commission's records custodian.

4. **Scope**

Most records made or maintained by or for the Commission and its staff in the regular course of business are judicial records subject to Rule 12. This includes, but is not limited to, information provided by applicants during the certification, licensing, and registration processes and minutes and recordings of Commission meetings, including meetings of duly appointed advisory boards and committees. However, not all records maintained by the Commission are subject to Rule 12.

Records relating to a complaint against a regulated person are not judicial records as defined by Rule 12.2, because they pertain to the Commission's adjudicative function. Access to records relating to a complaint is governed by common law and applicable statutory law and the Commission's rules.

5. **Non-Disclosure of Confidential Information**

The Director will not release any information or record that is confidential or exempt from disclosure under Rule 12, a state or federal constitutional provision, statute, or common law. Confidential and exempt information and records include a person's home address, home or personal telephone number, social security number, and criminal history record information.