

Before the Presiding Judges of the Administrative Judicial Regions
Per Curiam Rule 12 Decision

APPEAL NO.: 24-015

RESPONDENT: 7th District Court, Smith County

DATE: December 5, 2024

SPECIAL COMMITTEE: Judge Stephen Ables, Chair; Judge Dib Waldrip; Judge Sid Harle; Judge Missy Medary; Judge Ben Woodward

Petitioner by email requested “access to or copies of all ‘Judicial Records’ as per Rule 12 concerning [Petitioner’s name]” in Respondent’s possession. Petitioner also sought “under the Texas Public Information Act”¹ records related to Petitioner’s name and two cause numbers, an email address for a Smith County employee, and a specific name. Petitioner filed a petition for review after the Rule 12.8(b) response timeframe expired and requested expedited review of the petition. Upon receiving notice of the appeal Respondent replied to the petition and explained that, due to an internal miscommunication, responsive records were ready for disclosure but had not been provided to Petitioner. Respondent disclosed 67 records to both the special committee and to Petitioner but did not advance any exemption claims related to the records. With the responsive records in our possession, we grant Petitioner’s request for expedited review.

Rule 12 governs access to judicial records, and when judicial records responsive to a Rule 12 request are provided to a requestor, Rule 12 is considered satisfied. *See* Rule 12 Dec. Nos. 18-004, 23-004, 23-006, 24-003. Petitioner’s requests under both Rule 12 and the Public Information Act are premised on Petitioner’s name, and Respondent disclosed to Petitioner records responsive to the search terms in Petitioner’s request. Because Respondent has disclosed responsive records to Petitioner, and because Respondent has not advanced any exemption claims to support the withholding of any other responsive records, we consider Rule 12 satisfied and the petition is denied.

¹ We note that although Respondent requested records under the Public Information Act (PIA), records maintained by the judiciary are subject to Rule 12 of the Rules of Judicial Administration, not the PIA.