

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 26-015

RESPONDENT: 325th District Court, Tarrant County

DATE: August 21, 2026

SPECIAL COMMITTEE: Judge Missy Medary, Chair; Judge Ray Wheless; Judge Robert Trapp; Judge Sid Harle; Judge Ana Estevez

Petitioner sent Respondent a Rule 12 request seeking “administrative approval chain, decision path, participation, notice, and website-publication process” materials connected to the Tarrant County Family Court’s Rules for Disposition of Family Law Cases. The request also covered documents showing the Respondent’s role in the adoption and enforcement of the Rules. Respondent informed Petitioner that “subject to Rule 12.4 and 12.5” it did not have any judicial records responsive to Petitioner’s request. In its petition for review, Petitioner explained that it was not seeking “a case file, case-specific ruling, judicial reasoning, docket setting, or adjudicative explanation in any pending case,” and that it wanted “existing judicial or court-administrative records sufficient to show the origin, adoption, approval, transmission, publication, notice, and enforcement chain” for the Rules. Respondent did not submit a reply to the petition.

Rule 12 does not apply to the entire universe of records held by a court, but instead applies to “judicial records” — those records made or maintained by or for a court in its regular course of business but not pertaining to its adjudicative function, regardless of whether that function relates to a specific case. The “adjudicative function” extends beyond the resolution of cases, and how a court processes its cases pertains to the adjudicative function. *See, e.g.*, Rule 12 Dec. Nos. 09-006, 17-018, 19-006, 19-026, and 25-013. A court’s local rules of procedure specifically address the processing of cases, thus relate to the adjudicative function, and therefore are not subject to Rule 12 when maintained by a court. *See, e.g.*, Rule 12 Dec. No. 19-016, 19-026, 22-013.

Petitioner frames its request as one for “administrative approval chain” records regarding the Tarrant County Family Court’s Rules for Disposition of Family Law Cases. Petitioner requested “existing records from the creation of the policy through the present” revealing “who proposed, drafted, reviewed, discussed, approved, denied, objected to, abstained from, adopted, ratified, amended, withdrew, or maintained the policy.” Respondent was also to produce “website-publication chain” and “notice, authority, and enforcement chain” documents. Petitioner specifically requested records showing Respondent’s role in the approval of, objection to, abstention from, notice of, subscription to, and enforcement of the policy. In short, Petitioner sought step-by-step records reflecting the genesis, development, posting, distribution, and enforcement of the rules and the Respondent’s role in those steps. In its petition for review, Petitioner cites Rule 12 Decision No. 19-016 in support of its contention that these records are administrative, rather than adjudicative, and thus subject to disclosure. In Rule 12 Decision No. 19-016, the petitioner sought from the Presiding Judge of the Eighth Administrative Judicial

Region local rules sent to the Presiding Judge for review, approval, and retention after they were adopted by select counties. The Presiding Judge had declined the petitioner's request for local rules on the grounds that they were not subject to disclosure under Rule 12. The special committee disagreed, drawing a distinction between local rules maintained by a court and local rules submitted by that court to the regional presiding judge for review and approval. Post-adoption rule review and approval was an administrative function, the special committee reasoned, thereby making the rules disclosable judicial records. *See* Rule 12 Dec. No. 19-016.

Petitioner suggests that the Respondent's role in the creation, development, and enforcement of the Rules for Disposition of Family Law Cases is akin to the review and approval role played by a regional presiding judge, and thusly that records related to the Tarrant County Family Court's rules are likewise administrative records. We do not agree. The special committee in Rule 12 Decision No. 19-006 was quite clear: a regional presiding judge's post-adoption administrative review and approval of local rules submitted to it by a local court *was not* the same as a local court's promulgation of rules. The Presiding Judge in Rule 12 Decision No. 19-016 reviewed rules post-adoption, and nothing more. Conversely, the documents sought by Petitioner would showcase the genesis, development, posting, distribution, and enforcement of the rules, and the Respondent's role in those steps. Accepting Petitioner's framing that the creation, development, and enforcement of rules is the same as the post-adoption review and approval of rules would erase the distinction central to Rule 12 Decision No. 19-016's holding, and we decline to adopt Petitioner's interpretation of the decision. Records regarding the creation, development, and enforcement of local rules are adjudicative records because they relate to the processing of cases. The documents sought by Petitioner relate to the ways the Family Courts Rules were created, developed, and enforced, and are therefore adjudicative records.

The records sought by Petitioner pertain to the court's adjudicative function. Thus, the records are not "judicial records" as defined by Rule 12.2(d) and are not subject to Rule 12. Because the records at issue are not judicial records under Rule 12, we can neither grant the petition in whole or in part nor sustain the denial of access to the requested records. Accordingly, the petition is dismissed.