

ATASCOSA COUNTY JUDGES REPORT

There is an excellent law that any citizen can make an “Open Records Request” for defined data belonging to Texas’s designated governments. It is good because, as citizens, we should expect our government to be transparent. We receive these requests from time to time, and I feel many who make these do not understand how to craft their request, and I want to help assist. Some common errors made by well-intentioned citizens are the following:

- The entity has 10 days to confirm receipt.
- The law says the processing time allowed is a reasonable amount of time depending on the request. So, the larger the request, the slower the response time. The requestor may not violate somebody else’s rights, so a request for information that pulls someone’s private financial or personal information may be subject to legal review.
- The requestor is liable for the expenses incurred by the governmental agency. According to the Texas Attorney General (AG), rates may vary. If the charge exceeds \$100, the entity must notify the requestor of the estimated charges. If the estimation exceeds \$100, the entity can require a method of the surety of payment before beginning processing.
- If any information requested causes concern by the entity for release, then the entity can request an AG’s opinion. This automatically suspends the entities’ response until the AG’s opinion is delivered to the entity. If an AG’s opinion is requested, the requestor should be notified.

My advice is that requestor should keep their request narrowly defined. I also have seen occasions where there are many requestors for the same information. I assume that they may think many requests are better. That technique only has more people receiving the same information and paying out more money for that same information.

Finally, I want all citizens to know that regardless of where they send an open record request to the county, it will be forwarded to the County Attorney for legal review and processing. It is a suitable procedure that ensures Atascosa County will follow the law.

I have often advised requestors how to reduce their request to give an expedited, lower-cost answer. I believe in the “open records law” and think governmental entities should be transparent. If a citizen has any questions, they are always welcome to call me.

Thanks for listening. Your County Government is getting better all the time.