

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 03-006

RESPONDENT: Louie Ditta, Justice of the Peace, Harris County

DATE: October 21, 2003

SPECIAL COMMITTEE: Judge John Ovard, Judge B. B. Schraub, Judge Darrell Hester, Judge Dean Rucker, Judge Stephen Ables

On September 2, 2003, the applicant requested copies of documents from the Respondent, who had been acting as the administrative judge for the Harris County justices of the peace. The documents she requested were: (1) the signed and filed oaths of office for two visiting judges to Precinct 5 Place 1 for 2003, and (2) “listed appointments for visiting/special judges for 2003, and all bonds and oaths of office for the same, which should have been filed with Commissioner’s Court Clerk.” On September 3, Judge Ditta responded that the request for copies of the oaths of office for the Precinct 5 Place 1 visiting judges had been forwarded to Judge Russ Ridgeway, who was the current justice of the peace for that court. Judge Ditta also responded that the request for copies of the appointments for special judges for 2003 “must be directed to each Justice of the Peace.”

The applicant filed her Rule 12 appeal on September 15. On September 23, Judge Ridgeway sent a response to the applicant stating that the oaths of office for the two special judges who had served Precinct 5 Place 1 would be made available for viewing at the court during normal business hours, and that he had waived the charge for copies of the records, which totaled 25 pages. On September 26, Judge Ditta sent his response to the Rule 12 appeal. He stated that because the request about all special judges for 2003 was unclear, he had directed the applicant to make further requests relative to the sixteen justices of the peace in Harris County to those particular justices, as each judge was required to maintain the records of his or her office.

After reviewing the petition for review, the responses of Judge Ditta and Judge Ridgeway, the applicant’s reply to those responses, and all the supporting documents, we conclude that the applicant has not been denied access to the requested records. Judge Ditta complied with Rule 12 when he forwarded the request for documents about Precinct 5 Place 1 to the custodian of those documents, and that custodian has granted the access to the documents required by Rule 12.4(a). Judge Ditta’s initial response to the applicant about the other “listed appointments” and oaths of office was cursory, but it was adequate to comply with the requirements of Rule 12.6(f). Accordingly, we deny the petition for review.