

Retention and Classification Report

Agency: District Court (Seventh District : Emery County) (1698)

1850 North 560 West
P.O. Box 635
Castle Dale, UT 84513
435-637-7349

Records Officer: _____

16854	Administrators, Guardians, and Executors Books
17049	Adoption files
04419	Civil case files
22680	Civil case index
04126	Criminal case files
21843	Criminal registers of actions
04138	Judgment docket files
21917	Probate registers of actions

AGENCY: District Court (Seventh District : Emery County)

SERIES: 16854

1

TITLE: Administrators, Guardians, and Executors Books

DATES: 1886-

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

RETENTION:

Retain permanently

DISPOSITION:

May Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is proposed and has not yet been approved.

FORMAT MANAGEMENT:

Paper: For records beginning in 1886 through 1920. Retain in Office until microfilmed and then transfer to State Archives with authority to weed.

Paper: For records beginning in 1920 and continuing to the present. Retain in Office for 9 years after being microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 17049

TITLE: Adoption files

DATES: 1920-

ARRANGEMENT: Numerical by case number

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

This series contains adoption case files exclusively.

RETENTION:

Permanent. Retain for 100 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

PRIMARY DESIGNATION:

Exempt CJA 4-202(4) (Confidential)

3

AGENCY: District Court (Seventh District : Emery County)

SERIES: 4419

3

TITLE: Civil case files

DATES: 1896-

ARRANGEMENT: Numerical by case number.

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These case files from the Seventh District Court in Emery County document the legal process and the administration of justice in conjunction with a civil proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Included are all cases which cannot legally be called "criminal cases". Records and documents pertaining to a particular action are filed together by the court clerk, who is required by the Rules of Civil Procedure to file pleadings and other legal papers. Collectively they constitute the case file.

RETENTION:

Retain permanently

DISPOSITION:

May Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: For records beginning in 1921 and continuing to the present. Retain in Office permanently or until microfilmed.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1896 through 1920. Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Seventh District : Emery County)

SERIES: 4419

TITLE: Civil case files

(continued)

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 22680

4

TITLE: Civil case index

DATES: 1896-1964

ARRANGEMENT: Alphabetical by first letter of surname

DESCRIPTION:

This series contains civil case alphabetic indexes created by the Court, to record the names of the parties involved in civil actions and provide assigned case numbers, facilitating clerical management of and access to the case files. The index contains plaintiff name, defendant name, register of action page number, and case file number (docket number). The second index contains defendant name, plaintiff name, register of action page number and case file number (docket number).

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office permanently after being microfilmed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have administrative, historical, and/or legal value(s).

This disposition is based on the 1993 records retention policy of the Utah Judicial Council (in UCA, Utah Court Rules Annotated, Appendix F), which has remained unchanged since the 1980 issue of the state Records Retention Schedule (Utah State Archives and Records Services, Department of Finance, 1980, page 1). The indexes have historical, administrative, and legal value and facilitate access to the permanent civil, criminal and probate case files which provide documentation about individuals, legal

AGENCY: District Court (Seventh District : Emery County)

SERIES: 22680

TITLE: Civil case index

(continued)

procedure, court history and functions, and other topics useful to legal researchers and historians.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 4126

3

TITLE: Criminal case files

DATES: 1896-

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

Case files are made up of the various documents filed with the Seventh District Court in Emery County pertaining to each specific case. The records usually contain information such as the case number, and the names of the defendants, counsel, jurors, and witnesses. The case file may include complaints, indictments, subpoenas, verdicts, warrants of arrest, execution or confinement, warrant returns, affidavits, orders, judgments, appeal notices. Files rarely include transcripts of testimony.

RETENTION:

Retain permanently

DISPOSITION:

May Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1995

FORMAT MANAGEMENT:

Paper: Retain in Office permanently or until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Seventh District : Emery County)

SERIES: 4126

TITLE: Criminal case files

(continued)

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 21843

4

TITLE: Criminal registers of actions

DATES: 1896-

ARRANGEMENT: Numerical by case number, thereunder chronological.

DESCRIPTION:

This series documents the individual criminal cases tried by the Seventh District Court in Emery County. Actions taken in each case are recorded on separate documents and then filed together to become the case file. As these documents enter the case file they are recorded in the Criminal registers of Actions.

Registers function as a chronological list of the actions taken in each criminal cases. A register of actions can contain the following: attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaint, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by the attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers, and disclaimers.

RETENTION:

Permanent. Retain for 100 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Seventh District : Emery County)

SERIES: 21843

TITLE: Criminal registers of actions

(continued)

APPRAISAL:

These records have administrative, historical, and/or legal value(s).

This disposition is based on the historical value of the Registers of Actions since they document individuals and topics useful to legal researchers and historians. This series also has administrative and legal value since it documents the functions of the District Court and continues to serve current and future administrative needs [UCA 79 (d) (6)].

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 4138

3

TITLE: Judgment docket files

DATES: 1896-

ARRANGEMENT: Numerical by case file

DESCRIPTION:

RETENTION:

Retain permanently

DISPOSITION:

May Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 9 years after being microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 21917

3

TITLE: Probate registers of actions

DATES: 1887-

ARRANGEMENT: Numerical by case number, thereunder chronological by date.

DESCRIPTION:

These are logs of documents filed in each separate probate case, and the dates upon which those documents were filed.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Records Center permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This registry serves as an index to the Seventh District Court probate cases, which in turn provide valuable information for social historians and family historians.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Seventh District : Emery County)

SERIES: 21917

TITLE: Probate registers of actions

(continued)

SECONDARY DESIGNATION(S):

Exempt.

UCA 78-30-15 (2008). As of 1 July 1999, adoptions become public after 100 years; until then they are sealed and only obtainable through the court. These books include occasional reference to adoptions.