

Retention and Classification Report

Agency: District Court (Second District : Morgan County) (1676)

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Records Officer: _____

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AGENCY: District Court (Second District : Morgan County)

SERIES: 6980

3

TITLE: Civil case files

DATES: 1896-

ARRANGEMENT: Numerical by case number

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

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 historical value(s).

Historic court records provide information about individuals and about legal processes. Civil cases include divorces and ownership issues. Civil judgments may be of longstanding relevance, particularly judgments on water rights issues.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30737

3

TITLE: Civil registers of actions

DATES: 1895-

ARRANGEMENT: Numerical by case number and generally chronological by filing date.

DESCRIPTION:

This series contains registers used by the court clerk to record all documents filed in each civil case heard by the court. A register of actions may contain the following entries for each civil case: name of the attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaints, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers and disclaimers.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of civil matters handled by the court and the documents filed in each case.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30737

TITLE: Civil registers of actions

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30739

3

TITLE: Criminal and probate registers of action

DATES: 1896-

ARRANGEMENT: Roughly chronological by case filing date.

DESCRIPTION:

Traditionally district courts, including Second District Court (Morgan County), created a register of actions for each criminal case heard before the court. The register commenced when the accusation was filed, and thereafter the court listed each action until the case was dismissed or resolved with a conviction or acquittal. For each case the court clerk identified the defendants, the crime of which he was accused, a court assigned case number, and the names of representing attorneys. For each action the clerk listed the type of action taken and the date on which that action was taken. Registers of action are case summaries which provide reference to additional records. Court assigned case numbers listed in the registers are a guide to case files which contain all of the important documents related to the case.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of the criminal matters heard by the court. They provide a summary of court case information and help provide access to the case files.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30739

TITLE: Criminal and probate registers of action

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30781

1

TITLE: Criminal case files

DATES: 1896-

ARRANGEMENT: Numerical by case file number.

DESCRIPTION:

This series contain criminal case files from the Morgan County Second District Court and document the legal process and the administration of justice in conjunction with a criminal proceeding. Criminal case files 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. Records and documents pertaining to a particular action are filed together by the court clerk, and collectively these records constitute the case file. Files rarely include transcripts of testimony. First, second, and third degree felony cases are the predominant type of action within this series (a major crime for which the maximum imprisonment is more than one year in a state correctional institution). This series also contains misdemeanor cases which are punishable by a county jail term of up to one year and/or a fine. Juvenile cases tried prior to 1907 can also be found in this series. In 1907, a separate statewide juvenile court was established allowing juvenile court jurisdiction in all matters involving children 18 years of age and younger, including parents and guardians of juvenile delinquents.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

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

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives with authority to weed.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30781

TITLE: Criminal case files

(continued)

APPRAISAL:

Disposition is based on the historical and legal primacy of court case files.

PRIMARY DESIGNATION:

Public Utah Code 63G-2-201(2)(2023).

AGENCY: District Court (Second District : Morgan County)

SERIES: 30742

3

TITLE: Execution Record

DATES: 1897-1912

ARRANGEMENT: Alphabetical by plaintiff or defendant name.

DESCRIPTION:

This series contains writs of execution issued by the Second District Court in Morgan County. A writ of execution is a court order granted to put in force a judgment of possession obtained by a plaintiff from a court. When issuing a writ of execution, a court typically will order a sheriff or other similar official to take possession of property owned by a judgment debtor.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have historical value(s).

The record in this series has permanent historical value as documentation of the function and procedures of the court in settling disputes. The records document judgments rendered in civil case and the payment of those judgments.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30738

3

TITLE: Judgment docket

DATES: 1896-1955

ARRANGEMENT: Generally chronological by date of judgment.

DESCRIPTION:

This series contains the Judgment Dockets produced by the 2nd District Court of Morgan County. Dockets function as an agenda for the proceedings of the court, written in abstract or brief form to act as a record of the action relative to each case. The docket generally contains the following information: Plaintiff, Defendant, Nature of the Case, Attorneys for the Plaintiff and Defendant, Case Number, Date and Nature of each action taken in the case, any applicable fees for the action, along with the judge's disposition of the case.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of the function and operation of the court.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30740

1

TITLE: Judgment record books

DATES: 1897-

ARRANGEMENT: Chronological by filing date.

DESCRIPTION:

This series contains judgment record books kept by the Second District Court in Morgan County . The text of judgments rendered in court cases are recorded in these volumes. These records function as a reference source for all final judgments made by the court in civil matters. Included are findings of fact, conclusions of law, and the decree or judgment. Recorded information may include the names of the parties involved, date, a summary of the case and findings, decisions rendered, and the names of officials.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

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

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for the operation of the court and its ability to fulfill obligations to the public.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30740

TITLE: Judgment record books

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Second District : Morgan County)

SERIES: 30736

3

TITLE: Minute books

DATES: 1896-

ARRANGEMENT: Chronological by court date.

DESCRIPTION:

This series contains the minute books from the Second District Court in Morgan County, with actions from the criminal, civil, and probate divisions appearing throughout. Minute books contain the documentation of daily proceedings of the court but are not transcripts of court cases. Business matters include court site and officers present, jury selection, judicial appointments, expense claims, as well as entries noting the day's proceedings on various cases. A typical case will span multiple dates and will include an indictment or indication of the filed complaint, procedural issues, presentation of the case, witnesses' names, the verdict, and precise sentencing or settlement.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of daily business handled by the court.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30736

TITLE: Minute books

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Exempt.

Exempt: UCA 78-30-15 (2008) occasional references to adoptions are restricted for 100 years.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30727

3

TITLE: Naturalization Record

DATES: 1903-

ARRANGEMENT: Chronological by date of application.

DESCRIPTION:

This series contains documentation of the final steps of becoming a United States citizen. They include petitions for naturalization, certificates of citizenship and accompanying documentation. The first volume contains only certificates of citizenship giving date, applicant's name, former country and kingdom, current county of residence, and a standardized statement that the applicant had produced the necessary evidence and taken the required oaths. The judge then signed the certificate. The 1904-1906 volume of preprinted application forms consisted of an applicant's affidavit and witness affidavits, as well as a certificate of citizenship. The applicant's affidavit gave his name; current address; occupation; birthplace, birth date and age; port, vessel, and date of arrival; other U.S. residences; date and place of declaration of intention; and any U.S. military service. The affidavit included an oath of renunciation of allegiance to his former sovereign and a statement of character. Witness affidavits confirmed the applicant's statements and declared his worthiness to become a citizen. The court's order admitting the applicant as a citizen was included and a copy of the certificate of citizenship was recorded. Blanks are provided for the signatures of the individual, witnesses, judge, and court clerks. After 1906, courts used federally provided record books from the Bureau of Naturalization. Petitions for naturalization include the individual's name, residence, occupation, birth date and birthplace; the place from which he emigrated, date and port of arrival, and vessel name; date and court of declaration of intention; spouse's name, birthplace, and residence; children's names, birthdates, birthplaces, and residences; and any previous petitions filed. Also included were the affidavits of two witnesses, the oath of allegiance, and court order admitting the person to citizenship. Later space was added for memoranda of continuances, denial of petition if applicable, etc. Various corroborating documents may also be included: declarations of intention, certificates of military service, certificates of arrival, witness depositions, occasional correspondence, and even court orders revoking citizenship.

AGENCY: District Court (Second District : Morgan County)

SERIES: 30727

TITLE: Naturalization Record

(continued)

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

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

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of individuals to whom citizenship was granted by the court. These records have particular value to both genealogists and historians studying immigration.

PRIMARY DESIGNATION:

Public Utah Code 63G-2-201(2)(2023).

AGENCY: District Court (Second District : Morgan County)

SERIES: 30685

1

TITLE: Probate case files

DATES: 1896-

ARRANGEMENT: Chronological by filing date.

DESCRIPTION:

Case files pertaining primarily to the estates of deceased persons, minors, and the incompetent. May also include adoptions. Documents pertaining to Probate Judge distribution of land to towns are also included.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

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

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

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 Utah Code 63G-2-201(2)(2023).

AGENCY: District Court (Second District : Morgan County)

SERIES: 30685

TITLE: Probate case files

(continued)

SECONDARY DESIGNATION(S):

Exempt. Judicial records are public unless restricted under rules of civil procedure (UCA 63G-2-301-[1][f]). Included are custody proceedings, guardianship files, minutes, & probate records. Wills are generally

AGENCY: District Court (Second District : Morgan County)

SERIES: 30809

3

TITLE: Register of Estates

DATES: 1869-1966

ARRANGEMENT: Numerical by case number and generally chronological by case filing date.

DESCRIPTION:

This series contains a register of actions taken and documents filed in probate matters handled by the County Probate Court prior to statehood and the 2nd District Court after statehood.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

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 historical value(s).

The records in this series have permanent historical value as documentation of the various probate cases heard by the county probate court and later the 2nd District Court for Morgan County.

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Exempt.

This series contains information about adoptions that is restricted for 100 years after the birth of the adopted child. (Utah Code)