

## Retention and Classification Report

**Agency:** District Court (Third District : Tooele County) (1678)

47 South Main  
Tooele, UT 84074  
901-967-8857

**Records Officer:** \_\_\_\_\_

83312	Civil case files
30704	Civil case indexes
30694	Civil registers of actions
83313	Criminal case files
30663	Criminal registers of actions
30560	Delinquent tax case records
30661	Minute books
83314	Probate case files
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10205	Tooele small claims case files
30708	Unidentified index

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 83312

3

**TITLE:** Civil case files

**DATES:** i 1895-

**ARRANGEMENT:** Numerical by case number.

**ANNUAL ACCUMULATION:** 1.40 cubic feet.

**DESCRIPTION:**

Depositions, demurrers, answers, counter claims, replies, motions, petitions, affidavits, exhibits, notices, objections, citations, sheriff's certificates, judge's orders and rulings, judge's findings of fact and conclusions of law, executions, and judge's final decrees. Civil cases refer to those judicial proceedings relating to the enforcement and protection of rights, and the preventing and redressing of wrongs which cannot legally be called criminal cases.

**RETENTION:**

Permanent. Retain for 50 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series are authorized by the Administrative Office of the Courts.

**APPROVED:** 09/2009

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 20 years and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

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 (Third District : Tooele County)

**SERIES:** 83312

**TITLE:** Civil case files

(continued)

**APPRAISAL:**

These records have administrative, historical, and/or legal 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 (Third District : Tooele County)

**SERIES:** 30704

3

**TITLE:** Civil case indexes

**DATES:** 1896-

**ARRANGEMENT:** Alphabetical by name, thereunder chronological by case filing date.

**DESCRIPTION:**

This series contains name indexes created by the court clerk to aid in locating records of civil cases heard by the court.

**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.

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

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
The records in this series have permanent administrative and historical value as tools for accessing historical records of the court.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30694

3

**TITLE:** Civil registers of actions

**DATES:** 1896-

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

**DESCRIPTION:**

Civil cases document the legal process and the administration of justice in conjunction with civil proceedings for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Records and documents pertaining to a particular civil action are filed together by the court clerk and collectively these documents constitute the case file. As these records or actions are filed, the clerk enters them in the registers which comprise this series. The clerk is required as documents enter the case file to make a notation that shows "the nature of each paper filed or writ issued and the substance of each order or judgment of the court and of the returns showing execution of process. The notation of an order or judgment shall show the date the notation is made. When trial by jury has been properly demanded or ordered the clerk shall enter the word 'jury' on the page assigned to that action" [UCA 79 (b) (2)]. 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.

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30694

**TITLE:** Civil registers of actions

(continued)

**APPRAISAL:**

These records have historical value(s).

The records in this series have permanent historical value as summary documentation of civil proceedings handled by the court.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 83313

3

**TITLE:** Criminal case files

**DATES:** i 1895-

**ARRANGEMENT:** Numerical by case number.

**ANNUAL ACCUMULATION:** 0.10 cubic feet.

**DESCRIPTION:**

Case files are made up of the various documents filed with the Third District Court in Tooele 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:**

Permanent. Retain for 50 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series are authorized by the Administrative Office of the Courts.

**APPROVED:** 09/2009

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 20 years and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

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

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 83313

**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 (Third District : Tooele County)

**SERIES:** 30663

3

**TITLE:** Criminal registers of actions

**DATES:** 1896-

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

**DESCRIPTION:**

Records and documents pertaining to a particular civil, criminal or probate action are filed together by the court clerk and collectively these documents constitute the case file. As these records or actions are filed, the clerk enters them in the registers which comprise this series. A register of actions may contain the following entries for each 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, disclaimers, bonds, and inventories.

**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 summary documentation of criminal cases heard by the court and as finding aids in locating records of criminal cases.

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30663

**TITLE:** Criminal registers of actions

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30560

3

**TITLE:** Delinquent tax case records

**DATES:** 1969-1972

**ARRANGEMENT:** Generally chronological by filing date.

**DESCRIPTION:**

This series contains records documenting cases brought against taxpayers by the Utah State Tax Commission for delinquent income taxes.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Agency history records, GRS-1723.

**AUTHORIZED:** 11-28-2018

**FORMAT MANAGEMENT:**

Paper: 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 representative documentation of delinquent tax cases handled by the court.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30661

3

**TITLE:** Minute books

**DATES:** 1896-

**ARRANGEMENT:** Chronological by court date.

**DESCRIPTION:**

This series contains the minute books from the Third District Court in Tooele 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 may 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.

**APPRAISAL:**

These records have historical value(s).

Disposition is based on the value of these records in understanding all actions associated with the case files of the court.

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30661

**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 (Third District : Tooele County)

**SERIES:** 83314

4

**TITLE:** Probate case files

**DATES:** 1871-

**ARRANGEMENT:** Numerical by case number.

**ANNUAL ACCUMULATION:** 0.50 cubic feet.

**DESCRIPTION:**

Case files pertaining to the estates of the deceased, the incompetent, and minors.

**RETENTION:**

Permanent. Retain for 50 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 20 years and then transfer to State Records Center. Retain in State Records Center for 30 years and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

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

**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. Because 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 the action may well extend indefinitely.

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 83314

**TITLE:** Probate case files

(continued)

**PRIMARY DESIGNATION:**

Public

**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 (Third District : Tooele County)

**SERIES:** 17612

3

**TITLE:** Probate indexes

**DATES:** 1919-1993

**ARRANGEMENT:** Chronological by time period, thereunder alphabetical by first letter of surname.

**DESCRIPTION:**

This microfilm includes both probate indexes and registers of action.

**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 indexes in this series have permanent value as tools to access permanent probate records created by the court.

**PRIMARY DESIGNATION:**

Exempt	The indexes in this series include information about adoption cases, which is restricted for 100 years after the birth date of the adopted child. (Utah Code 78B-6-141)
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**SECONDARY DESIGNATION(S):**

Public



**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 17613

3

**TITLE:** Probate registers

**DATES:** 1896-

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

**DESCRIPTION:**

This series contain registers used to record documents filed in various probate cases. These cases include settlement of estates, adoptions, and name changes.

**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 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 summary documentation of probate matters handled by the court.

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 17613

**TITLE:** Probate registers

(continued)

Exempt.

This series contains records related to adoptions, which are restricted for 100 years after adoptee date of birth. (Utah Code 78B-6-141)

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 10205

3

**TITLE:** Tooele small claims case files

**DATES:** 1980-

**ARRANGEMENT:** Numerical by docket number

**DESCRIPTION:**

These case files document small claims handled by the Circuit Court and later the District Court.

**RETENTION:**

Retain for 9 year(s) after case is closed

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series are authorized by the Administrative Office of the Courts.

**APPROVED:** 04/1999

**FORMAT MANAGEMENT:**

Paper: Retain in Office until case is closed and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

**APPRAISAL:**

These records have legal value(s).

This disposition is based on the Judicial Council approved retention schedule.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** District Court (Third District : Tooele County)

**SERIES:** 30708

3

**TITLE:** Unidentified index

**DATES:** ca. 1930-1971

**ARRANGEMENT:** Alphabetical by surname, thereunder chronological.

**DESCRIPTION:**

This series contains a booked used to index unknown records. It was held by the district court, but the court clerk did not know what records it indexed.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

Paper: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

These records have historical value(s).

The index in this series may have permanent value as an aid in accessing other records.

**PRIMARY DESIGNATION:**

Public