

Retention and Classification Report

Agency: District Court (First District : Cache County) (1686)

135 North 100 West
Logan, UT 84321
435-750-1300

Records Officer: _____

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AGENCY: District Court (First District : Cache County)

SERIES: 13838

3

TITLE: Adoptions

DATES: 1915-

ARRANGEMENT: Numerical by case number

DESCRIPTION:

These case files document all adoptions handled in the First District Court for Cache County.

RETENTION:

Permanent. Retain for 9 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 04/2016

FORMAT MANAGEMENT:

Paper: Retain in Office for 9 years and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

APPRAISAL:

These records have historical value(s).

Utah Code 78B-6-141 requires that these records are sealed for 100 years. Afterwards they become public. Adoption records have ongoing genealogical and historical value.

AGENCY: District Court (First District : Cache County)

SERIES: 13838

TITLE: Adoptions

(continued)

PRIMARY DESIGNATION:

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.

AGENCY: District Court (First District : Cache County)

SERIES: 3676

3

TITLE: Civil and criminal case index

DATES: 1895-1923.

ARRANGEMENT: Alphabetical by surname of defendant.

DESCRIPTION:

Case indexes created by the court clerk to record the names and assigned case numbers of plaintiffs and defendants involved in civil or criminal actions, and to facilitate clerical management of and access to those files.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently after microfilming.

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

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

Microfilm duplicate: Retain in Office permanently.

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 and this index provides access to those case files.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 5141

3

TITLE: Civil case exhibits

DATES: 1896-

ARRANGEMENT: alphanumerical

DESCRIPTION:

RETENTION:

Retain for 9 year(s) after case is closed

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 9 years after case is closed and then destroy.

APPRAISAL:

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

RETENTION JUSTIFICATION:

Alice Dahling!?! finally got the scoop on transcripts used as exhibits. They are treated just like regular transcripts and can be tossed after nine years. Exhibits actually have a shorter retention time so if they are older than nine years toss them!?!<Sally Koch, 3rd District Court Records Officer>??>>> Alice Cone 02/20/01 10:43AM >>>??What's the current retention on exhibits for district court civil and criminal cases? We have some way old ones, but they seem to have been transferred separately from their cases--ie., they may have their case number on them, but they're stamped 'exhibit' and were not included in the case file.

AGENCY: District Court (First District : Cache County)

SERIES: 17457

4

TITLE: Civil case files

DATES: 1895-

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

DESCRIPTION:

Civil case files include the original complaint or summons, and all legal papers filed through disposition or dismissal of civil cases, the proceedings between parties wherein rights are enforced or protected, or wrongs are prevented or redressed, which cannot legally be called criminal cases, involving real property and incidents within the District. Some transcripts but no exhibits are included. Civil cases include petitions for divorce, to recover money, voluntary withdrawal or dissolution of corporations, and writs of habeas corpus.

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 permanently or 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.

APPRAISAL:

These records have administrative, historical, and/or legal 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.

AGENCY: District Court (First District : Cache County)

SERIES: 17457

TITLE: Civil case files

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 1530

3

TITLE: Civil judgment record

DATES: 1921.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Judgment record and summarized information about individual civil cases, an abstracted reference source documenting the final judgment of the court in civil cases, includes: the district court title, date when the judgment was rendered, the filing of any abstract of judgment, date of execution, who performed the execution, satisfied and unsatisfied executions, which party won the case, amount of the final award, names of parties involved and the successful plaintiff or defendant. Overlaps in dates occur since the court clerk recorded names before final judgment.

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).

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

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 12/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 25983

3

TITLE: Civil registers of actions

DATES: 1895-1988.

ARRANGEMENT: Numerical by case number.

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)].

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently 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.

Microfilm duplicate: Retain in Office permanently.

APPRAISAL:

These records have historical, and/or legal 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.

AGENCY: District Court (First District : Cache County)

SERIES: 25983

TITLE: Civil registers of actions

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 13841

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 First District Court in Cache 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.

First, second, and third degree felony cases are the predominant case file type within this series (a major crime for which the maximum imprisonment is more than one year in a state correctional institution). This would include first degree offenses such as murder, rape, aggravated kidnapping, aggravated burglary and robbery, arson, and possession with intent to distribute drugs. Second degree offenses include: manslaughter, robbery, residential burglary, kidnapping, perjury, forgery, theft of property valued over \$1,000.00, forcible sexual abuse, and intentional child abuse. Third degree felonies include: burglary of non-dwellings, theft, aggravated assault, forgery, unlawful sexual intercourse, joyriding, possession with intent to distribute marijuana or cocaine, and false or forged prescriptions.

This series also contains misdemeanor cases which are punishable by a county jail term of up to one year and/or a fine.

Misdemeanors include: negligent homicide, driving under the influence, theft, assault on a police officer, criminal mischief, resisting arrest, reckless driving, possession of marijuana, shoplifting, trespassing, and possession of a concealed weapon.

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.

Missing cases should not be found in appellate court records since the Supreme Court is required by law [Rule 76 (d)] to remit their decision to the District Court "together with such papers transmitted to the Supreme Court on appeal." Furthermore, Rule 75 (n) states that after the appeal has been disposed of, any

AGENCY: District Court (First District : Cache County)

SERIES: 13841

TITLE: Criminal case files

(continued)

original papers should be returned to the custody of the district court. Cases which are appealed to the District Court from lower courts will be found in this series.

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 permanently or 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.

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.

AGENCY: District Court (First District : Cache County)

SERIES: 13841

TITLE: Criminal case files

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 26014

3

TITLE: Criminal registers of actions

DATES: 1895-1988.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

Traditionally district courts, including First District Court (Cache County), created a register of actions for each criminal case heard by 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 defendant, 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. Dates in the register provide reference to minute book entries.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office permanently.

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.

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

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

AGENCY: District Court (First District : Cache County)

SERIES: 26014

TITLE: Criminal registers of actions

(continued)

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 83859

3

TITLE: Daily court filings

DATES: i 1989-

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION: 20.00 cubic feet.

DESCRIPTION:

RETENTION:

Permanent. Retain for 9 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1983

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.

APPRAISAL:

These records have administrative value(s).

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 6176

4

TITLE: Declarations of intention record books

DATES: i 1896-

ARRANGEMENT: Volumes and their entries are chronological. After 1906, the entries are also by case number in sequentially numbered

DESCRIPTION:

These volumes contain declarations of individuals' intentions of becoming U.S. citizens. They were filed at least two years prior to applying for naturalization.

The first volume contains blanks for the individual's name, sovereign, date, signature, and clerk's signature. More detailed federal forms were used beginning in 1906. The forms contain additional information including personal description, vital statistics, and emigration data. By 1916, information regarding any spouse's name and vital statistics data were added.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: For records beginning in 1896 through 1929.
Retain in State Archives permanently.

Microfilm duplicate: For records beginning in 1896 through 1929.
Retain in State Archives permanently.

APPRAISAL:

These records have historical value(s).

Disposition is based on the permanent genealogical value of these records.

AGENCY: District Court (First District : Cache County)

SERIES: 6176

TITLE: Declarations of intention record books

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 26032

3

TITLE: Exhibits to Bear River water rights adjudication

DATES: 1938-1990.

ARRANGEMENT: Chronological by case number

DESCRIPTION:

The Bear River is the primary source of water for Cache County. First District Court (Cache County) holds a set of maps that define Bear River water rights. Primarily these maps are exhibits to civil case #8220 which dealt with the matter of the general determination of the rights to use waters of the Bear River, both surfaces and underground and its tributaries, in Cache County. Bear River water rights maps also include a few maps from earlier Bear River water rights cases as well as a partition map used for establishment of a water conservancy district.

RETENTION AND DISPOSITION AUTHORIZATION:

These records have historical value(s).

APPROVED: 09/2009

FORMAT MANAGEMENT:

Paper: Retain in Office permanently.

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

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

Microfilm duplicate: Retain in Office permanently.

APPRAISAL:

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

Bear River water rights maps identify legal water rights both historically and currently.

AGENCY: District Court (First District : Cache County)

SERIES: 26032

TITLE: Exhibits to Bear River water rights adjudication

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 83784

4

TITLE: Inheritance tax liens registers

DATES: i 1905-1966.

ARRANGEMENT: Chronological

DESCRIPTION:

The district court clerk registers the estate settlements showing the heirs, devisees, or grantees, and their relationship to the deceases. This settlement is then assessed for tax purposes. Appraisal of property is included and the executor or administrator is named. If any real estate is subject to lien, the lien is also registered.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

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 (First District : Cache County)

SERIES: 1528

3

TITLE: Little Bear River water rights case reports

DATES: ca. 1920.

ARRANGEMENT: Alphanumerical

TOTAL VOLUME: 0.10 cubic feet.

DESCRIPTION:

Report from ca. 1920 that documents the current users of the Little Bear River Drainage.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 3 months after case is closed and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have historical value(s).

This case has historical research value as it documents the Little Bear River Drainage.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 13840

3

TITLE: Mental health case files

DATES: 1981-

ARRANGEMENT: Numerical by case number

DESCRIPTION:

RETENTION:

Permanent. Retain for 9 year(s)

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.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

PRIMARY DESIGNATION:

Exempt UCA 62A-12-247 (2008)

AGENCY: District Court (First District : Cache County)

SERIES: 26016

3

TITLE: Minute books

DATES: 1896-1988.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Utah law requires court clerks to keep a record of all proceedings, actions, orders, judgments, and decrees of the court (UCA 78-3-30). Historically, court clerks kept this record in leather bound minute books. In these books the clerk made a daily record of all documents filed and all court actions. Minute book entries will typically name the parties involved and then provide a brief description of a hearing or other action on the date the action occurred. Since most cases span multiple days, information on any given case is scattered through the books on the dates action was taken. Minute books also include administrative details of the court such as names of court officers present, selection and dismissal of jurors, and scheduling and assigning cases. Typically minute books include information about criminal cases, civil cases, and also probate matters which include estate settlements, guardianships, and adoptions.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office permanently.

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

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

Microfilm duplicate: Retain in Office permanently.

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 (First District : Cache County)

SERIES: 26016

TITLE: Minute books

(continued)

PRIMARY DESIGNATION:

Public

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.

AGENCY: District Court (First District : Cache County)

SERIES: 85173

4

TITLE: Naturalization record books

DATES: 1896-1929.

ARRANGEMENT: Entries are chronological by petition date. After 1906 they appear by case number, chronologically arranged by petition

DESCRIPTION:

These volumes contain 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 the date, applicant's name, former foreign residence, current residence, and signatures as well as a standardized summary of procedures. By 1903, the forms consisted of an applicant's affidavit and witness affidavits, as well as a certificate of citizenship. The forms also included the applicant's birthplace, date and court of declaration of intention, and date of admission to the United States. After 1906 more detailed federal forms were used. The petitions include individual's name, residence, occupation, birth date and place; the place from which emigrated, the date, proof of arrival, and vessel name; date and place of declaration of intention; wife's name, birthplace and residence; any previous petitions; and children's names, birthplaces, and residences. Witness affidavits are included and various corroborating documents are bound into the volumes along with the petitions, including declarations of intention, certificates of U.S. military service, certificates of arrival, witness depositions, etc.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: For records beginning in 1896 through 1929.
Retain in State Archives permanently.

Microfilm duplicate: For records beginning in 1896 through 1929.

AGENCY: District Court (First District : Cache County)

SERIES: 85173

TITLE: Naturalization record books

(continued)

Retain in State Archives permanently.

All Formats: Retain in Office until administrative need ends and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition is based on the permanent genealogical value of these records.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 22725

4

TITLE: Probate account books

DATES: 1883-1898.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

These volumes were used to record fees charged for services rendered in probate cases. Printed columns are available to record date (month, day, and year); items; costs assessed for judge, clerk, sundries, and estate; and remarks for each case. Notations are handwritten. The space reserved for case numbers is unused. Volume A covers 30 October 1883 through 28 November 1891, volume B spans 18 December 1891 through 29 April 1896, and volume C encompasses the period from 13 May 1896 to 19 December 1898.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 3 years and then microfilm and 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.

APPRAISAL:

These records have historical value(s).

This disposition is based on the historical value of these records, which are among the only documents extant created by the Cache County Probate Court. The microfilm copies of the account books are being retained permanently to document the activities of this court.

RETENTION JUSTIFICATION:

The 1986 General Retention Schedule authorizes destruction of district court fee books following a three-year retention (page 40). However, since few records of the territorial Cache County Probate Court survive, microfilm copies of the account books are being retained permanently to document the activities of the court.

AGENCY: District Court (First District : Cache County)

SERIES: 22725

TITLE: Probate account books

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 1532

4

TITLE: Probate case files

DATES: i 1864-

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

A collection of all documents and actions filed with the court clerk in the course of probating wills of deceased persons make up the probate case files. Guardianships and adoptions may be included. 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. Case numbers are assigned by the court when papers are initially filed with the clerk.

Files for probate cases include such documents as wills, decrees, continuations of hearings, discharges, petitions, notices, bonds, letters testamentary, testimonies, findings of fact and conclusions of law, commitments, affidavits, proof of publication, appraisals , reports, orders, depositions, property inventories, etc.

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 1864 through 1898. Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1970 and continuing to the present. Retain in Office permanently or 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

AGENCY: District Court (First District : Cache County)

SERIES: 1532

TITLE: Probate case files

(continued)

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.

PRIMARY DESIGNATION:

Public

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. This series includes adoption case files.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 22659

4

TITLE: Probate index

DATES: 1864-1988.

ARRANGEMENT: Alphabetical by initial letter(s) of surname or corporate name.

DESCRIPTION:

The index was created by the county clerk to record the names and assigned estate numbers of parties in probate actions, and to facilitate clerical management of and access to these files.

The Index to Probate Matters, which appears to be a compilation of three earlier volumes (A, B, and C), indexes the parties involved in probate cases 1-6748, spanning 6 June 1864 to 13 March 1966. Each page includes five columns for: file number, surname, given name, nature of matter, and date filed. Notations under nature of matter include: deceased, termination of estate, minor, insane, incompetent, feeble-minded, inquest, adoption, tubercular, civil (petition for name change, termination of joint tenancy, application for town site deed, dissolution), incorrigible, and habeas corpus. Entries are typewritten. Volume B records cases 1-3243, spanning 6 June 1864 to 2 January 1935. Each page includes three columns for: surname or corporate name, given/Christian name, and estate number. Parenthetical notations sometimes appear following the given name, indicating an alias or the type of case (insane, adoption, guardianship, name change, inquest, etc.). Entries are handwritten both in ink and pencil.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently and then microfilm.

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).

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

AGENCY: District Court (First District : Cache County)

SERIES: 22659

TITLE: Probate index

(continued)

Records Service, Department of Finance 1980, page 1). The index has administrative and historic value and facilitates clerical management of and access to the probate case files. The permanent disposition of the case files is based on their historical, administrative, and legal value.

PRIMARY DESIGNATION:

Exempt

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 22905

4

TITLE: Probate minute/record books

DATES: 1860-1966.

ARRANGEMENT: Chronological by date of court session.

DESCRIPTION:

This series is made up of minute/record books in which are recorded the official acts and proceedings of both the Cache County Probate Court (which was eliminated at statehood in 1896) and its successor, the First District Court, while sitting in Logan, Cache County, Utah. These records were created and maintained by the court clerk, who is required by state statute to keep a minute book (Utah Code Annotated, 1953, 17-20-2). Originated by the Cache County Probate Court during the territorial period, entries in the minute/record books begin in January 1860. Copies of court orders and decrees, discharges, petitions, and notices are typical. Due to the unusual jurisdiction of the Probate Court, the body was not limited to probate and guardianship matters. Although principally a record of estates, early volumes in this series also include minutes/records of criminal and civil cases tried in probate court between May 1860 and September 1873. Recorded information encompasses petitions, applications, various writs, judgments, complaints, appointments, decrees and court orders, indictments, verdicts, pleas, warrants, and summonses. Cases involving commitment to the state mental hospital and adoption are included throughout the series. The minute/record books were transferred at statehood to the newly created district court, which assumed jurisdiction for probate cases. Although early entries are designated "Minutes," administrative details and meeting logistics are omitted. Entries in volumes A-Q are handwritten while those in subsequent tomes are typewritten. Minute/record books are no longer produced.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: For records beginning in 1860 through 1966.
Retain in State Archives permanently with authority to weed.

Microfilm duplicate: For records beginning in 1860 through 1966.
Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1860 through 1966. Retain in Office for 9 years and then microfilm and destroy provided

AGENCY: District Court (First District : Cache County)

SERIES: 22905

TITLE: Probate minute/record books

(continued)

microfilm has passed inspection.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Minute books 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.

RETENTION JUSTIFICATION:

The permanent retention of these records is appropriate given that probate minute/record books provide useful information both for researchers seeking socioeconomic data on households and those seeking biographical or family history data such as information about the estate, the deceased, and the heirs.

PRIMARY DESIGNATION:

Public with the exception of adoption and commitment matters, as described below.

SECONDARY DESIGNATION(S):

Private. commitment proceedings are classified by the Administrative Office of the Court as private (Code of Judicial Administration, Rule 4-202, section 3 [G] [iii]).

Exempt. adoption records are sealed for 100 years according to Utah Code Annotated 87-19-4 (1953).

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 767

4

TITLE: Probate record books

DATES: i 1876-1906.

ARRANGEMENT: Chronological by date of document filing.

DESCRIPTION:

This series is made up of transcriptions of documents filed in estate cases probated in both the Cache County Probate Court (which was eliminated at statehood in 1896) and its successor, the First District Court, while sitting in Logan, Cache County, Utah. These records were created and maintained by the court clerk.

Transcribed documents include wills, bonds, letters testamentary, and deeds which were filed in the course of administering the estates of deceased individuals residing in Cache County.

Originally, all documents (including wills) were recorded in a single volume ("Record of Bonds, Letters, and Deeds," Volume D). Beginning in 1887, wills were transcribed in one volume ("Record of Wills," Volume D) while bonds, letters, etc., were recorded in another ("Records of Bonds and Letters," volumes D-F).

The county probate court handled these cases until statehood (1896) when the court was dissolved. At that time the responsibility for probate cases was transferred to the district court.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in State Archives permanently.

Paper: Retain in State Archives permanently and then microfilm.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Record books 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 (First District : Cache County)

SERIES: 767

TITLE: Probate record books

(continued)

RETENTION JUSTIFICATION:

The permanent retention of these records is appropriate given that probate record books provide useful information both for researchers seeking socioeconomic data on households and those seeking biographical or family history data such as information about the estate, the deceased, and the heirs.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 22724

4

TITLE: Probate registers of actions

DATES: 1864-1988.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

The register of actions or docket book provides a summary of actions filed in probate cases, including a brief abstract of motions and orders, the amount of fees collected, and the eventual disposition. Included are cases filed in probate court, October 1883 to December 1895, and in district court, January 1896 to May 1966. Some volumes are called Probate and Guardianship Proceedings.

The register of actions is a listing of all actions relative to an individual case, often on a single page, providing a complete history including the number and title of case, names of attorneys, types and dates of actions filed, amount of fees, and volume and page where action is recorded. Because of the unusual jurisdiction of the probate court, the registers include isolated civil matters (primarily divorces, which have separate alphanumeric case numbers) as well as probate cases.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

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

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

Paper: Retain in Office permanently.

Microfilm duplicate: Retain in Office permanently.

APPRAISAL:

These records have historical value(s).

This disposition is based on the 1994 records retention policy of the Utah Judicial Council. The 1994 Utah State Courts Retention Schedule authorizes microfilming and destruction of original records following a ten-year retention (page 8). Registers of action were first designated as permanent records in 1983. The register of actions has administrative and historic value and facilitates clerical management of and access to the probate case

AGENCY: District Court (First District : Cache County)

SERIES: 22724

TITLE: Probate registers of actions

(continued)

files and minute books. The permanent disposition of the case files and minute books is based on their historical, administrative, and legal value.

RETENTION JUSTIFICATION:

The registers have administrative and historic value and facilitate clerical management of and access to the probate files and minute books. The permanent disposition of the case files and minute books is based on their historical, administrative, and legal value.

PRIMARY DESIGNATION:

Public

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.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 13839

4

TITLE: Probated wills

DATES: 1913, 1915, 1938, 1939-

ARRANGEMENT: Numerical by estate number.

DESCRIPTION:

Probated copies of the last will and testament (including any codicil) of Cache County testators submitted to the First District Court for probate make up this series. The structure of individual wills may vary greatly, from a simple manuscript with a single substantive provision to a complex document with multiple sections which cover a variety of topics concerning the estate. Basic information includes the testator's name, county of residence, and in some cases occupation or trade, plus directions, requests, and bequests. Bequests to heirs may cite relationship to the deceased and include specific items or properties bequeathed. The name of the person(s) appointed executor(s) is usually cited. A certificate of proof of will was included until September 1942. Collectively the series is composed of loose papers from individual cases (both holographic and typewritten); it is not a compilation of documents from multiple matters transcribed in record books.

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 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.

AGENCY: District Court (First District : Cache County)

SERIES: 13839

TITLE: Probated wills

(continued)

APPRAISAL:

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

Disposition based on the historical and legal value of wills and codicils, which are designated as permanent by the Utah State Courts Records Retention Schedule.

PRIMARY DESIGNATION:

Public UCA 75-2-901 (1975)

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (First District : Cache County)

SERIES: 25991

1

TITLE: Water rights case files

DATES: 1917-

ARRANGEMENT: Numerically by case file number.

DESCRIPTION:

In civil actions the court acts to enforce rights and prevent or redress wrongs in matters not criminal. Civil case files include all legal documents pertaining to a particular case from the receipt of a petition to the resolution of the case. First District Court (Cache County) has separated civil cases dealing with water rights from the general run of civil case files. Water rights cases are frequently accessed and referenced as well as frequently reactivated.

RETENTION:

Permanent. Retain until administrative need ends

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 permanently.

Compact disc: Retain in Office until administrative need ends and then transfer to State Archives with authority to weed.

APPRAISAL:

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

Court actions relating to water rights define legal ownership of those rights. Water case files provide information about the history of specific rights.

AGENCY: District Court (First District : Cache County)

SERIES: 25991

TITLE: Water rights case files

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (First District : Cache County)

SERIES: 29932

3

TITLE: Wills deposited for safekeeping

DATES: 1890-2017.

ARRANGEMENT:

DESCRIPTION:

These original wills were deposited by individuals with district courts for safekeeping, as per Utah Code 75-2-901 (2016). Wills are legal instruments which divide an individual's possessions and assets among his/her beneficiaries and include information concerning the executor of the estate, as well as the signatures of witnesses and attorneys involved. A will may be divided into several sections and cover a variety of topics regarding the estate.

RETENTION:

Retain permanently

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

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

APPROVED: 04/2008. Utah Court Retention Schedule (A)(6)(f) (2008).

FORMAT MANAGEMENT:

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 49 years and then transfer to State Archives.

APPRAISAL:

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

These records document the process of settling an estate of a deceased person and may have genealogical value.

AGENCY: District Court (First District : Cache County)

SERIES: 29932

TITLE: Wills deposited for safekeeping

(continued)

PRIMARY DESIGNATION:

Private Utah Code 63G-2-302 (1)(b), (2)(b), and 2(d)(2018)

SECONDARY DESIGNATION(S):

Public. Utah Code 63G-2-310 (2008)