

Retention and Classification Report

Agency: District Court (Sixth District : Wayne County) (1696)

Wayne County Courthouse
18 South Main
Loa, UT 84747-0189
435-836-2479

Records Officer: _____

00005	Civil case files
13449	*Civil judgments
31232	Court transcripts
00007	Criminal case files
21894	*Declarations of intention record book
18226	Index to actions
13446	*Judgment record books
13448	Minutes
85225	*Naturalization record book
18261	Orders and decrees
00006	Probate case files
18314	*Probate docket books
01380	Probate record books
18225	*Registers of actions
29937	*Wills deposited for safekeeping

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 5

3

TITLE: Civil case files

DATES: 1896-

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

DESCRIPTION:

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.

RETENTION:

Permanent. Retain for 50 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1990. Utah Code of Judicial Administration, Appendix F (B)(10)

FORMAT MANAGEMENT:

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

Microfilm master: Retain in State Archives 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 (Sixth District : Wayne County)

SERIES: 5

TITLE: Civil case files

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2018.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 13449

3

TITLE: Civil judgments

DATES: 1985.

ARRANGEMENT: none

DESCRIPTION:

This series contains civil judgments from Weber County. Some of the documents include: restraining orders, orders of dismissal, decrees, orders granting summary judgments, decrees of divorce, orders of annulment, and stipulations and motions.

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.

APPRAISAL:

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

Court records and judgments should be kept permanently.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 31232

3

TITLE: Court transcripts

DATES: 1939

ARRANGEMENT: None.

DESCRIPTION:

This series contains the original draft transcript of civil case number 192, Meeks vs. Lee, et al. The transcript in this series was written in shorthand script by Clair Johnson, who was apparently based in Sanpete County, but traveled around the state, working as a court reporter in a number of other courts.

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: For records beginning in 1939 through 1939. Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

The transcript in this series has permanent historical value as representative documentation of court procedure in recording cases heard by the court.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 7

3

TITLE: Criminal case files

DATES: 1896-

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

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

Indictments, subpoenas, verdicts, warrants, returns of warrants, informational papers, affidavits, affidavits of impecuniosity, court orders, judgments, warrants of execution and confinement, warrants of death, notices of appeal, demurrers, answers to demurrers, complaints, and orders to show cause that constitute criminal case files tried by the Sixth District Court in Wayne County. Includes predominantly first, second and third degree felonies, but also misdemeanor and juvenile cases.

RETENTION:

Permanent. Retain for 50 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 03/1983. Utah Code of Judicial Administration, Appendix F (B)(10)

FORMAT MANAGEMENT:

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

APPRAISAL:

These records have historical value(s).

This series has permanent historical value as documentation of the operation of the court and functioning of the judicial system.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 7

TITLE: Criminal case files

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2018.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 21894

3

TITLE: Declarations of intention record book

DATES: 1896-1901.

ARRANGEMENT: Chronological

DESCRIPTION:

Record books noting the intention of a resident alien of becoming a United States citizen at some future date.

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.

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

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

APPRAISAL:

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

Wayne County Declaration of Intention Books, 1896-1901. These records are valuable for research.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18226

3

TITLE: Index to actions

DATES: 1895-1981

ARRANGEMENT: Alphabetical by first letter of the surname of the involved party.

DESCRIPTION:

Civil, criminal and probate case alphabetic indexes created by the Court, to record the names of the parties involved in civil, criminal and probate actions and provide assigned case numbers, facilitating clerical management of and access to the case files. The index contains plaintiff, defendant, register of action page number, case file number, and date of filing.

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

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18226

TITLE: Index to actions

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Exempt.

This series contains references to adoptions that are restricted for 100 years after the birth of the adopted child. (Utah Code 78B-6-141)

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 13446

3

TITLE: Judgment record books

DATES: 1896-1983.

ARRANGEMENT: alphabetical by book

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office permanently or until microfilmed.

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 (Sixth District : Wayne County)

SERIES: 13448

3

TITLE: Minutes

DATES: 1896-

ARRANGEMENT: Chronological

DESCRIPTION:

RETENTION:

Retain permanently

DISPOSITION:

May Transfer to Archives.

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 (Sixth District : Wayne County)

SERIES: 85225

4

TITLE: Naturalization record book

DATES: i 1896-1902.

ARRANGEMENT: Chronological.

DESCRIPTION:

This series contains documentation of the final steps of becoming a United States citizen. The volume contains only a record of certificates of citizenship issued to the newly naturalized citizen. Each form gives the date, applicant's name, former country and kingdom, and current town and county of residence. A standardized summary of the procedures assured that the necessary evidence was provided and the required oaths taken. The judge then signed, attesting to the applicant's admission as a citizen. Although courts began keeping records separately in each county after statehood in 1896, an applicant could file in any court until 1906. The volume has only 5 pages of entries, but does include an applicant from Sevier County as well as the expected Wayne County applicants. In 1906, federal naturalization law required that an individual file in a court having jurisdiction over his area of residence, and the courts began using standardized federal forms.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

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

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

Paper: Retain in State Archives permanently and then microfilm.

APPRAISAL:

These records have historical value(s).

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 85225

TITLE: Naturalization record book

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18261

3

TITLE: Orders and decrees

DATES: 1892-

ARRANGEMENT: unknown

DESCRIPTION:

RETENTION:

Retain permanently

DISPOSITION:

May 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:

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 (Sixth District : Wayne County)

SERIES: 6

3

TITLE: Probate case files

DATES: 1896-

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

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

Probate records contain the details of proceedings in estate and guardianship cases. Personal name change cases may also appear. For deceased persons, the will, appraisals and inventories, and the settlements are recorded. For guardianships, the appointment of a guardian and frequently an account of some property are noted. Adoption records give the full order of adoption, often with statements from both the natural and adoptive parents or a social service agency detailing circumstances of the adoption. The county probate court was responsible for the proceedings of these cases until statehood (1896), at which time the probate court was dissolved and the district court assumed the responsibility.

RETENTION:

Permanent. Retain for 50 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 03/1983. Utah Code of Judicial Administration, Appendix F (B)(10)

FORMAT MANAGEMENT:

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

APPRAISAL:

These records have historical value(s).

These records are historical due to genealogical value and documentation of rights.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 6

TITLE: Probate case files

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Exempt. Records containing information about adoptions are sealed for one hundred years after the birth date of the adopted child. (Utah Code 78B-6-141)

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2018.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18314

3

TITLE: Probate docket books

DATES: 1957-1966.

ARRANGEMENT: unknown

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

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

APPROVED: 09/2009

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 (Sixth District : Wayne County)

SERIES: 1380

3

TITLE: Probate record books

DATES: i 1889-1987

ARRANGEMENT: Chronological by document filing date.

DESCRIPTION:

Probate record books contain the details of proceedings in estate and guardianship cases. Personal name change cases may also appear. For deceased persons, the will, appraisals and inventories, and the settlements are recorded. For guardianships, the appointment of a guardian and frequently an account of some property are noted. Adoption records give the full order of adoption, often with statements from both the natural and adoptive parents or a social service agency detailing circumstances of the adoption. The county probate court was responsible for the proceedings of these cases until statehood (1896), at which time the probate court was dissolved and the district court assumed the responsibility.

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.

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 work handled by the court and of the disposition of estates, determination of guardianships, and adoptions of minor children.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 1380

TITLE: Probate record books

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Exempt.

This series contains copies of documents relating to the adoption of children. These documents are considered restricted for 100 years after the birth of the child. (Utah Code 78B-6-141)

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18225

4

TITLE: Registers of actions

DATES: 1896-1957.

ARRANGEMENT: Chronological by initial action in case

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 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 legal and historical value of the REGISTERS OF ACTIONS. The court clerk is required by law [UCA X, (79) (a)] to keep a register of actions that functions as a chronological list of papers filed and fees paid which relate to individual civil actions.

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 18225

TITLE: Registers of actions

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 29937

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

AGENCY: District Court (Sixth District : Wayne County)

SERIES: 29937

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)