

Retention and Classification Report

Agency: District Court (Fifth District : Washington County) (1682)

206 West Tabernacle
St. George, UT 84770
435-986-5723

Records Officer: _____

03635	Civil case files
26246	Criminal case files
03636	Probate case files

AGENCY: District Court (Fifth District : Washington County)

SERIES: 3635

3

TITLE: Civil case files

DATES: 1896-

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

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 in Washington. Transcripts and exhibits are not included. Civil cases include petitions for divorce, suits to recover money, voluntary withdrawal or dissolution of corporations, and writs of habeas corpus. For the approximately twenty years following statehood, grand jury reports and lists, various writs, oaths of office, etc, were also assigned civil case numbers.

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 1956 and continuing to the present. Retain in Office permanently.

Paper: For records beginning in 1896 through 1955. 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 Regional Repository permanently.

AGENCY: District Court (Fifth District : Washington County)

SERIES: 3635

TITLE: Civil case files

(continued)

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment, as long as 25 years in some instances. 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 beyond the 25-year designation.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Fifth District : Washington County)

SERIES: 26246

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 Fifth District Court in Washington 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.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: For records beginning in 1896 through 1955. Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1956 and continuing to the

AGENCY: District Court (Fifth District : Washington County)

SERIES: 26246

TITLE: Criminal case files

(continued)

present. Retain in Office permanently.

Microfilm master: For records beginning in 1896 through 1955.

Retain in State Archives permanently with authority to weed.

Microfilm duplicate: For records beginning in 1896 through 1955.

Retain in State Archives permanently with authority to weed.

Microfilm duplicate: For records beginning in 1896 through 1955.

Retain in Regional Repository permanently.

APPRAISAL:

These records have historical value(s).

These are historically significant permanent records of the court.

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Fifth District : Washington County)

SERIES: 3636

3

TITLE: Probate case files

DATES: 1896-

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 1856 through 1955. 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 Regional Repository permanently.

AGENCY: District Court (Fifth District : Washington County)

SERIES: 3636

TITLE: Probate case files

(continued)

Paper: For records beginning in 1956 and continuing to the present. Retain in Office permanently or until microfilmed.

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. 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