

Court Records

Contents

- 1 [How court records may be used](#)
- 2 [Document types](#)
- 3 [Research methodology](#)
- 4 [Additional document types](#)
- 5 [Access to court and judicial records](#)

The Utah State Archives is the repository for many judicial/court records, including the Utah State Supreme Court and many county district courts. Records of municipal courts and justice courts are housed here also. [Supreme Court](#), [district court](#), and [probate court records](#) date back to establishment of the territory. More recent records created by these agencies, as well as the Court of Appeals, remain with the creating agency.

How court records may be used

The most frequently requested records are [divorce decrees](#), [naturalization or citizenship records](#), documentation of name changes, [probate records](#), and [criminal records](#). The district courts exercise jurisdiction over naturalization and their records often include declarations of intention, petitions for naturalization, depositions, and certificates of naturalization, which can be useful for genealogical research and immigration and demographic studies. Although their informational content varies widely, judicial records can be an important source for studies of judicial administration, commerce and corporate history, labor relations and union activity, immigration and ethnic groups, civil rights, state and local political activity, biography, criminology, economic studies, and the impact of federal regulatory programs. Although U.S. commissioners usually dealt with misdemeanors and minor offenses, these records can be a valuable source of information about the administration of criminal justice.

For a brief history and description of the various courts, go to the [Utah Court System](#).

Document types

The records created by various courts are very similar in form and generally include *minute books* (or journals), *record books*, *register of actions* (or docket book), *order or judgment books*, and *case files*.

Minute books are a daily chronological record of court proceedings and often include lists of jury members, names of attorneys admitted to practice, information about financial accounts and the collection of fees, and sometimes the text of orders of the court.

Register of actions (or docket book) provide a summary of proceedings in each case including a brief abstract of motions and orders, the amount of fees collected, and the eventual disposition.

Order or judgment books record the text of each document and the amount of any monetary judgment.

The text of documents and orders filed in probate matters are copied into *probate record books*.

The bulk of a court's records consists of case files arranged numerically by the case number assigned at the time the petition or complaint initiating the case was filed. *Case files* generally include the original papers filed by attorneys or issued by the court such as petitions, motions, indictments, complaints, subpoenas, depositions, affidavits, writs, and judgments or decrees.

Research methodology

Of the judicial/court records in the Utah State Archives, register of actions, minute books, record books, and case files have the highest research value.

The case/docket number is essential to access information about specific cases. The easiest way to determine the case number is through an index. Several kinds of indexes are produced by the court. These include criminal and civil indexes to plaintiff and defendant, probate indexes to decedents, etc. Registers of actions and order books are sometimes self-indexed. While there is no universal indexing method, some systems are commonly used. A strictly alphabetic index is a recent development. Older indexes

usually group surnames under the initial letter in the order in which individual cases originated or in alphabetical groups, such as Pa on one page, Pe on another, then Ph, Pi, and so forth.

The register of actions or docket book is a listing of all actions relative to an individual case, often on a single page, providing a complete history including the name of the plaintiff, defendant, case number, dates for every action and hearing and the nature of the action taken on each date. Cases are entered in numerical order as they are filed. Registers of actions may be self-indexed, allowing easy identification of the case number without going through a page by page search. The register of actions acts as an index to minute books and records books, thus providing easy access to begin a search in judicial records.

Minutes are a daily record of documents filed and actions taken with regard to every matter brought before each session of the court, largely regarding documents submitted, appearances before the court, and orders issued. A typical case spans multiple dates. Because each court session dealt with several matters, it is not always easy to spot specific cases in the minutes. However, with the information from the register of actions it is possible to go directly to the date for each action in the case rather than read every page looking for each action in the case from initial filing through final disposition.

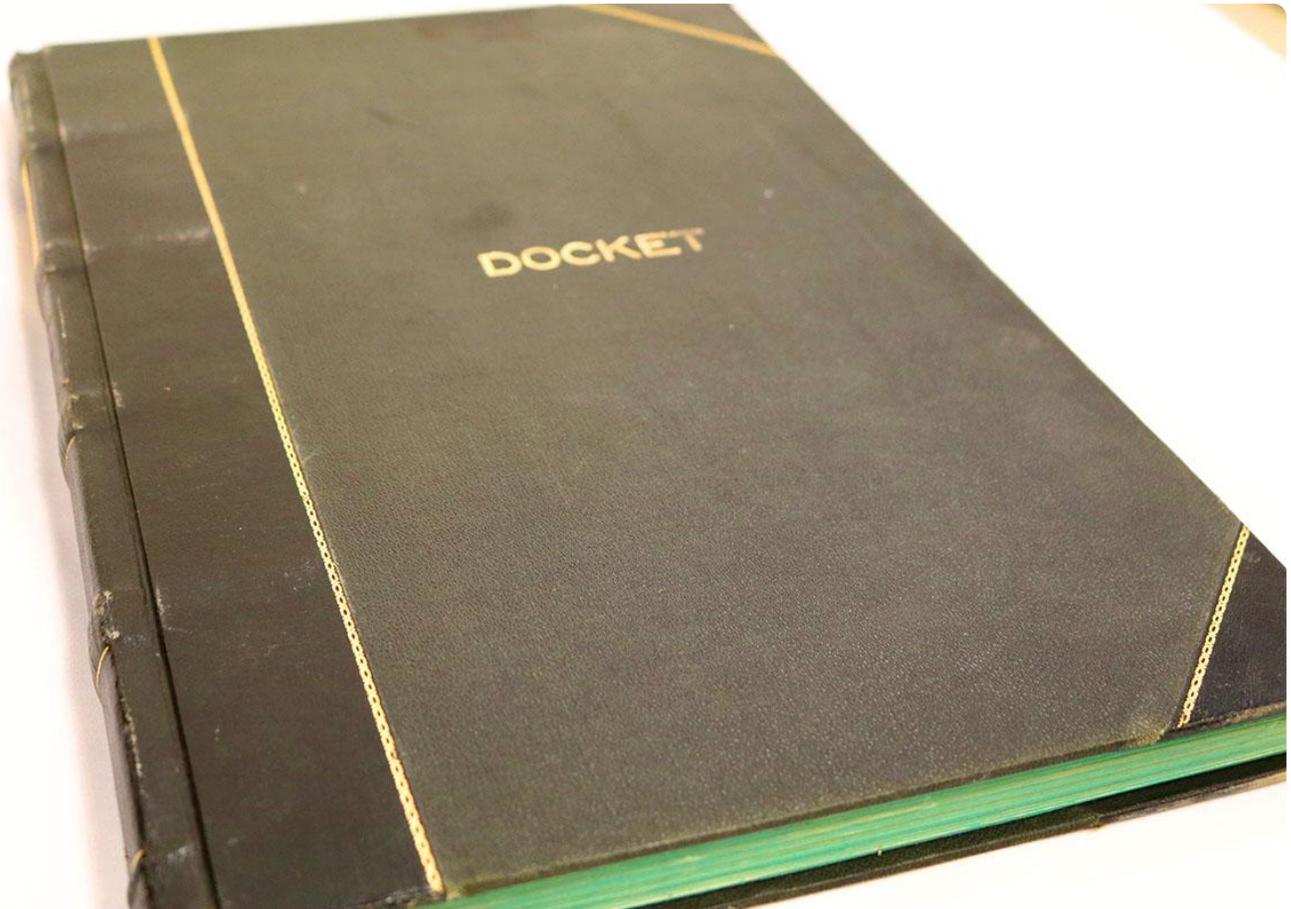
Probate record books are a daily record of what documents were filed in court on a particular day. No longer produced, probate record books provide useful information both for researchers seeking socioeconomic data on households and those seeking biographical or family history data such as information about the estate, the deceased, and the heirs. As with the minutes, access to the record books is easiest when done in conjunction with the register of actions, which provides the date of each action.

Original documents are maintained as part of the case file. Except for the early territorial period, these are filed by case number. Unnumbered cases generally are arranged in chronological order, often making it necessary to search a greater volume of cases to locate a desired file. Documents within individual case files are arranged chronologically by filing date.

Additional document types

Blotters or calendars provide the minutes in an abbreviated fashion. Calendars have a one-year retention in the 1995 Utah State Courts Records Retention Schedule. Availability is limited to older, sample records in archives custody.

Transcripts (an official and certified copy of what transpired in court or at an out-of-court deposition) and *exhibits* (documentation or items of real evidence) have a short retention period (generally three months after the final disposition in an action). These records typically are not transferred to the state archives, however in rare cases they were included in the case file.



Access to court and judicial records

Records of court proceedings are generally open for public inspection, however, cases of all types may be sealed by the court pursuant to statute or court rule making them inaccessible without a court order.