

FILED
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

2013 DEC 16 3:38

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

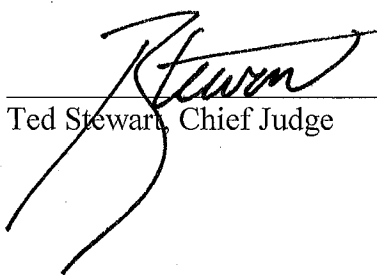
IN THE MATTER OF GRAND JURY
RECORDS

GENERAL ORDER

13 -005

Pursuant to the Record Retention Schedule adopted by the Judicial Conference of the United States and the Archivist of the United States, miscellaneous court records relating to grand jury actions filed separately from civil and criminal case files shall be shredded under the direction of the Clerk of Court when ~~five~~ *three* years have elapsed from their filing with the court.

Dated this 16th day of December, 2013



Ted Stewart, Chief Judge

Memorandum

December 13, 2013

TO: Judge Stewart
FROM: Louise York
RE: ORDER TO DESTROY DOCUMENTS

The Records Retention Schedule for the District Courts adopted by the Judicial Conference and the Archivist of the United States provides that records related to Grand Jury Proceedings which are filed separately from civil and criminal case files may be disposed of "as directed by the court."¹

There are three types of grand jury records we have kept separate from case files.

The first is the return of the grand jury - This is essentially the minute entry of the return and notes absences of grand jurors and the number voting for each indictment. Attached to each return is a separate record of the grand jury vote for each count and each defendant.

The second is the Notice of Disclosure of grand jury material - This is a notice by the US Attorney that grand jury information has been given to a person to further investigate a criminal matter.

The third is the returns of grand jury subpoenas served by the US Marshal.

(Attached is a sample of each document)

The documents are file stamped when received and put in boxes by the date received. We have in our sealed room 15 boxes of grand jury returns, 16 boxes of subpoena returns and three boxes of disclosure notices.

I have drafted a proposed general order for your signature which would authorize the clerk of court to destroy these documents when they are more than three years old.

¹ The one exception is the court reporter notes or transcripts which remain in the custody of the US Attorney as provided by Rule 6(e)(1) of the Rules of Criminal Procedure.

Basement Inventory

As of December 13, 2013

Going to new building:

- 17 CVB Boxes
- 27 Shelves Judgment Files
- 6 Boxes Microfilm
- 16 Shelves Docket Books
- 14 Trays Party Record Cards
- 1 Cabinet Natz Cards
- ### Boxes Blank Case File Folders

Keeping?

- 57 Day Boxes from 09/2011 to 11/2013
- 136 Permanent Boxes (includes 10 from St. George)
- 24 3-ring binders from Pelt case
- 13 Cyclopedia of Law & Procedure Books
- 9 Boxes Natz lists from 1983 - 2012
- 7 3-ring binders Notice of Deposition of Exhibits from 1975-1990
- 1 3-ring binder Exhibit Descriptions
- 1 Expandable Exhibit Receipts from 1990-1992
- 12 Shelves Judge Jenkins Bench files/Documents
- 52 3-ring Binders Admin Record 2:06cv84 Jones v Mineta
- 10 Boxes Display Case items
- 1 Box UT Professionals Directory 2002
- 1 Box Local Rules 1997
- 1 Box 1997 Courthouse Annex Plans & Elevations
- 1 Box INS History

Case Files to be shipped:

- Northern & Central Civil Trial
- Northern & Central Civil Permanent NOS
- Northern & Central Civil Permanent Joined
- Northern & Central Criminal