

Pennsylvania Research:

County Court and Probate Records

Court Records are:

- Generally opened to the public, however in some cases trial transcripts may need the approval of a judge to be released.
- Little used, but can help to flesh-out a family history. Usually those colorful ancestors left some really great records.
- Usually found at the courthouse but may be at off-site facilities.

Various Pennsylvania Courts:

- 1682-1722: County Courts
 - Established in the original three counties in 1682. This court dealt with estate issues, civil and criminal matters and also matters dealing with orphans.
- 1682-Present: Justice of the Peace
 - Marriage records
 - In some locations they no longer exist and the court is now known as magisterial district courts
- 1682-1968: Orphan's Court
 - Dealt with orphans, guardianships and estate issues.
 - Maintained birth, marriage and death records.
 - In 1968 it became part of the Courts of Common Pleas.
- 1684-1722: Provincial Court
 - The first provincial court was created in 1684. Its responsibility was to try appeal cases from inferior courts and cases involving criminal and civil issues.
- 1697-1789: Admiralty Court
 - This court dealt with issues of navigation and trade.
- 1700-1780: Court for trial of Negroes
 - Established in each county to try Negroes accused of committing crimes. This court was abolished in 1780.
- 1722-1968: Court of Quarter Sessions of the Peace
 - In 1722 the civil and criminal responsibilities of the county court were divided and the court of common pleas and court of general quarter sessions of the peace were established. Prior to 1895 appeals from these courts were to the state supreme court, but after that time appeals were made to the superior court.

- Abolished by constitutional amendment in 1968, and became a part of the courts of common pleas. The filing clerk for this court was the clerk of quarter sessions, now known as the clerk of courts in most counties.
- 1722-present: Court of Common Pleas
 - The court of common pleas and the orphans' court were closely allied and had the same judges, but they were distinct in practice. These courts had countywide jurisdiction over criminal and civil cases including real estate, bankruptcy, tax collection, naturalization, and divorce.
 - The filing clerk for civil actions historically associated with this court is known as the Prothonotary in most counties.
 - In 1968, the court of common pleas became the primary county-level court in Pennsylvania.
- 1722-present: Supreme Court
 - In 1722 the provincial court was replaced by the state supreme court.
- 1811 – 1873: District Courts
 - Some district courts were established as early as 1811, but they were all abolished in 1873.
 - They were essentially a court of common pleas.
- 1895-present: Superior Court
 - In 1895 the superior court was established as an intermediate appellate court, and the right to appeal to the Supreme Court became more restrictive.
- 1968-present: Commonwealth Court
 - Jurisdiction limited to legal matters concerned with state and local government such as: banking, insurance, utility regulation, taxation, land use, elections
 - Acts as a trial court when lawsuits are filed by or against the state
- 1903-present: Juvenile courts
 - In 1903, a juvenile court was established to administer offenses committed by children who were under age 16 or dependent upon the courts for support.

Probate Records:

- Include
 - Wills
 - Administrations

- Inventories
- Accounts
- Distribution of Estate
- Guardianship
- Terminology
 - Testate: died with a will made
 - Intestate: died without a will
 - Letters of Administration: issued when there is no will or the executor is unable or unwilling to serve.
 - Letters of Testamentary: issued to the executor of an estate.
- Search the Family History Catalog
 - If not in the catalog contact the courthouse where the estate was probated.
 - Estate files are usually not on the Internet.
 - Check county websites for indexes.

Court House Etiquette

- Security
- Have money (bills and change)
- Be patient
- Follow their rules
- Call ahead if you do not know where the records are housed in the courthouse