STATE OF NEW YORK
UNIFIED COURT SYSTEM
25 BEAVER STREET
NEW YORK, NEW YORK 10004
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A. GAIL PRUDENTI
Chief Administrative Judge

JOHN W. McCONNELL
Counsel

MEMORANDUM

April 15, 2015

To: All Interested Persons

From: John W. McConnell

Re: Proposed new search warrant procedures and database.

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The Office of Court Administration has developed a proposed secure statewide database for recording limited search warrant information. The new statewide database would assign a unique number to each search warrant at the time of data entry. Court clerks would enter the warrant information into a database and record certain subsequent developments related to that warrant, including the filing of a return on the warrant or the issuance of a court order relating to sealing or confidentiality. In order to apply for a warrant, the applicant would be required to complete a brief one-page "Search Warrant Worksheet" that collects basic information about the filing, i.e., the judge, contact information for the applicant and whether the warrant is public or confidential (Exh. A). The form does not request any confidential information as to the subject of the warrant and all supporting documents will remain confidential until the court directs otherwise. Current local practice regarding judicial assignment of search warrants will be continued. The proposed new statewide database and search warrant procedures would foster standardized court practices with regard to recording search warrant applications and subsequent warrant information, including whether the warrant application is sealed or has become a public record at some point after its execution.

Persons wishing to comment on this proposal should e-mail their submissions to rulecomments@nycourts.gov or write to: John W. McConnell, Esq., Counsel, Office of Court Administration, 25 Beaver Street, 11th Fl., New York, New York 10004. **Comments must be received no later than June 15, 2015.**

All public comments will be treated as available for disclosure under the Freedom of Information Law and are subject to publication by the Office of Court Administration. Issuance of a proposal for public comment should not be interpreted as an endorsement of that proposal by the Unified Court System or the Office of Court Administration.

EXHIBIT A

NEW YORK STATE UNIFIED COURT SYSTEM
Search Warrant Worksheet

After Data Entry
Warrant Number Issued

I. Application Information

To be completed by Applicant

Applicant/Contact Name:		Applicant Contact Info:	Other Info:	
Title:		Email 1:	Agency Name:	
First		Email 2:	Agency Warrant #:	
Last		Email 3:	Type of Application: ☐ Written ☐ Oral	
Shield #:		Phone:	In Camera: ☐ Not Determined ☐ Yes ☐ No	

II. Issuance Information

To be completed by Judge or Clerk

Issuance Judge:	Warrant Issuance: ☐ Not Determined ☐ Issued ☐ Not Issued

Issuance Details:

Date Issued: _____	Sealing Action Ordered at Issuance:
Time Issued: _____	☐ No directive from court - Clerk to seal all papers until court directive received
Issuing Reporter: _____	☐ Court directed - Sealed until further determination by Court
	☐ Court directed - Sealed at issuance and unsealed after execution and return
	☐ Court directed - Not Sealed (Confirm with supervisor)

III. Return Information

To be Completed by Applicant	To be Completed by Applicant or Court	To be Completed by Court (Judge or Clerk)
Executed: ☐ Yes ☐ No	Associated Court Case Info:	Date Returned: _____
Date Executed _____	Docket/Indictment #: _____	Time Returned: _____
	Court: _____	Return Judge: _____
Inventory: ☐ Yes ☐ No ☐ Not Determined	Other Cases:	Return Reporter:
		Sealing Action Ordered at Return
		☐ No directive from court. Sealing status unchanged
		☐ Sealed by Judge
		☐ Not sealed by Judge (Confirm with supervisor)