

**IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA**

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2020-12

**IN RE: PROCEDURES FOR ELECTRONIC SEARCH AND ARREST WARRANTS IN
LEON COUNTY**

WHEREAS, it is necessary and proper for the prompt and efficient administration of justice to establish uniform procedures related to the application for electronic search warrants and arrest warrants (hereafter warrants) and for judicial action on those warrants; and

WHEREAS, the technology for electronic application for and judicial action on warrants has been shown to be reliable; and

WHEREAS, electronic application for and judicial action on warrants will greatly reduce the time expended in the current paper process while still providing due process of law to all parties; and

WHEREAS, Sections 901.02(3) and 933.07(3), Florida Statutes, authorize a judge to electronically sign an arrest or search warrant upon examination of the complaint or application and proofs submitted if, (a) it bears the affiant's signature (b) it is supported by an oath or affirmation administered by a judge or other person authorized by law to administer oaths and (c) it is submitted by reliable electronic means;

NOW THEREFORE in accordance with Rule 2.215, Florida Rules of Judicial Administration, it is

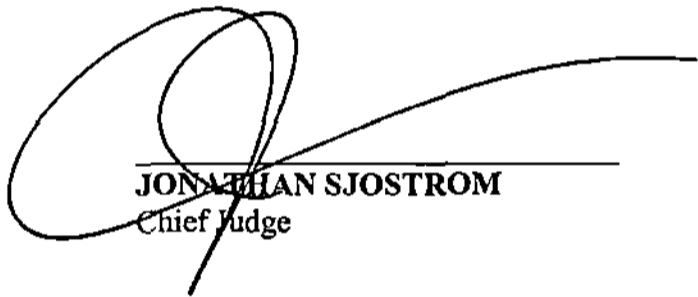
ORDERED that effective upon the entry of this Order, and subsequent Orders as additional agencies are trained in using the E-warrant system, the following policies and procedures with respect to electronic search and arrest warrants shall be implemented in Leon County:

- I. This Order governs all applications for and judicial action on warrants by the Leon County Sheriff's Office and the Tallahassee Police Department in Leon County.
- II. There shall be only one approved electronic warrant submission system. The Chief Judge shall designate the approved E-warrant System by administrative order. No other system is approved, and no other system shall be used.
- III. The approved electronic warrant submission system is the "Second Judicial Circuit E-warrant System" (hereafter the E-warrant System).



- IV. All applications for and all judicial action on warrants shall be made by using the E-warrant System, except as provided in paragraph V.
- V. The E-warrant System need not be used when:
 - A. The Chief Judge specifically authorizes an exception.
 - B. The E-warrant System is not operating or malfunctions.
- VI. The State Attorney or Statewide Prosecutor, or a designated assistant, shall approve all applications for arrest warrants prior to submission to a judge for action. The submitting law enforcement officer shall note the approving-prosecutor's name in the E-warrant System. Search warrants do not require prior approval by a prosecutor.
- VII. The affidavit in support of the warrant shall be signed by the attesting law enforcement officer and notarized prior to submission to the judge.
- VIII. It is the responsibility of the law enforcement officer submitting the warrant to file all appropriate documents with the Leon County Clerk of the Circuit Court.

ORDERED in chambers in Tallahassee, Leon County, Florida, this 7th day of May 2020.



JONATHAN SJOSTROM
Chief Judge

Copies furnished to:
 All Circuit and County Judges with a Leon County Assignment
 State Attorney, Second Judicial Circuit
 Public Defender, Second Judicial Circuit
 Leon County Clerk of the Circuit Court & Comptroller
 Office of Court Administration, Second Judicial Circuit

