FILED
APR 27 2020
CLERK SUPREME COURT

In the Supreme Court of Iowa

In the Matter of Establishment of the Electronic Search Warrant Pilot Project	)))	**Supervisory Order**

In 2017, the Iowa legislature provisionally amended Iowa Code Chapter 808 pertaining to search warrants to allow transmission of an application for and issuance of a search warrant by electronic means. In April 2018, the Iowa State Court Administrator established the Electronic Search Warrants Advisory Committee with a directive to develop recommendations for a new process whereby law enforcement officers and judicial officers may complete the search warrant application and issuance process electronically. The committee has made several recommendations to implement this process, including initially introducing electronic search warrants in several rural counties as a pilot project prior to statewide implementation.

In most cases, law enforcement officers must fill out a paper search warrant application, print it, and physically take it and personally meet with a judicial officer. Assuming the judicial officer approves the application and issues the search warrant, the officer then takes the warrant and executes it. Due to judicial officer vacancies and the fact that more and more counties do not have resident magistrates, rural law enforcement officers are often forced to drive a significant distance to personally meet with a judicial officer to consider a paper search warrant application and then drive back to execute the warrant, resulting in significant delays in the execution of the warrant as well as accumulating travel costs for law enforcement agencies. The use of electronic search warrants will substantially alleviate these issues.

The primary aim of the pilot project is to develop effective procedures for the use of electronic search warrants as well as develop training for law enforcement officers and judicial officers and identify potential areas for

improvement prior to a formal implementation of the procedures. The use of electronic search warrants will reduce the time required to obtain search warrants, reduce travel time by law enforcement officers, and more effectively utilize judicial officers' time. While electronic search warrants will not reduce the time required for law enforcement officers to prepare search warrant applications, efficiencies resulting from the use of electronic search warrants will likely occur when a judicial officer is not conveniently located near the law enforcement officer.

By this supervisory order, the court hereby establishes a pilot project to evaluate the use of electronic search warrants in Fremont, Mills, Montgomery, and Page Counties in the Fourth Judicial District. The pilot project will operate according to the parameters set forth in the Memorandum of Operation filed in conjunction with this order. The pilot project will be evaluated by the court annually during its administrative session and will continue until further order of the court.

This order is effectively immediately.

Dated this __27__ day of April, 2020.

The Supreme Court of Iowa

By

Susan Larson Christensen, Chief Justice

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