

## **General Felony Search Warrant Practice in King County**

All search warrants in which the crime being investigated is a felony, and warrants requesting out-of-state business records, must be routed through King County Superior Court via the following procedures.

**Note:** The following are procedural decisions made by the court and do not reflect changes in the law. For instance, some municipal court judges will still sign felony warrants.

### **Requesting a Judge During Regular Court Hours**

During regular court hours, law enforcement personnel who want a judge to review a search warrant application must send their request through Criminal Presiding via e-mail or in person, as described below. **DO NOT contact individual judges directly.**

- **Seattle** – Call Criminal Presiding at 477-1481 or email the court at: [SeattleCrim@kingcounty.gov](mailto:SeattleCrim@kingcounty.gov) and cc Erica Conway at [erica.conway@kingcounty.gov](mailto:erica.conway@kingcounty.gov) and John Salamony at: [john.salamony@kingcounty.gov](mailto:john.salamony@kingcounty.gov) .
  - **OR** the officer/detective can appear in person on the 12<sup>th</sup> floor, Criminal Department, Rm E-1204.
- **MRJC** - Call Criminal Presiding at 477-2730 or email the court at: [MRJCCriminal@kingcounty.gov](mailto:MRJCCriminal@kingcounty.gov)
  - **OR** the officer/detective can appear in person on the 2<sup>nd</sup> floor, Court Operations reception desk, Rm 2D.

### **Requesting a Judge After Regular Court Hours**

**Time Sensitive/Urgent Requests:** There is an on-call judge available for after-hours search warrant approval for **time sensitive/urgent** cases only (there must be articulable reasons why the warrant cannot wait until the next business day). **The phone number for agencies to call after-hours and weekends is (206) 477-2507.** If the on-call judge does not answer, wait five minutes and try again. If the judge still does not answer, do not leave a message. The outgoing voice mail message will instruct you to call the primary back up number. This number is to be used only if the on-call judge does not answer. If the primary back up number is not answered, then voice mail will instruct you to call the secondary back up number. This number is to be used only if the primary back up number is not answered. Once you contact a judge, they will most commonly have you email the application and warrant to their county email address or, less often, will use the after-hours email address: [4772507@kingcounty.gov](mailto:4772507@kingcounty.gov).

**All Other After-Hours Requests:** For after-hours requests that are not time sensitive, Law Enforcement can submit their applications and warrants for judicial approval via email (for sealed warrants the detective will have to make arrangements to have the sealing paperwork signed by the judge during regular business hours) to the following email addresses:

- **Seattle** - Email the court at [SeattleCrim@kingcounty.gov](mailto:SeattleCrim@kingcounty.gov)
- **MRJC** - Email the court at [MRJCCriminal@kingcounty.gov](mailto:MRJCCriminal@kingcounty.gov)

These warrant requests will be assigned to a Superior Court Judge for review on the next court day, with a response within 24 hours of assignment. These requests must be email compliant; see **section below on Email Submission of Search Warrants**.

### **Getting A Warrant Number**

All law enforcement personnel within King County are required to obtain a 9-digit search warrant cause number (*SW XX-0-XXXXX-X*) for all King County Superior Court warrants. Search warrant cause numbers can be obtained online by accessing the *Search Warrant Resource Center* through *King County Sign-In*.

### **Search Warrant Templates**

The King County Prosecuting Attorney's Office has many templates available for a variety of search warrants. These templates are available to all law enforcement personnel. It is highly recommended that all warrants be drafted and submitted using a new template. Do not reuse old templates. All current search warrant templates are accessible on the *Search Warrant Resource Center* through *King County Sign-In*.

### **Prosecutor Review/Assistance**

If law enforcement personnel would like a prosecutor to review an application and warrant or otherwise provide assistance during regular business hours, there is a document with contact phone numbers under the "Contact Information and Resources" tab in the Search Warrant Resource Center. For emergency legal advice at night and on weekends, there is a similar document under the same tab. Please select from the appropriate practice group.

**Note:** That prosecutorial review is recommended for all but the most basic warrants. Do not expect a judge to correct deficiencies in your application or warrant. That is not their role. If you have any questions about the substance or scope of your warrant, or on any other legal issues including how to submit an email warrant, contact a prosecutor.

### **Email Submission of Search Warrants (Sealed warrants CANNOT be signed via email)**

Law enforcement personnel may submit applications and search warrants via email for judicial approval during regular business hours or after hours. In order to be legally compliant, specific requirements must be followed:

- **Must be sent from a law enforcement owned or issued electronic device;**
- Must have the affiant's name, title, serial number, and agency;
- Must fill in the date and your location;
- Must check the appropriate boxes on the warrant and application indicating email approval;
- Must physically sign the judge's name on the application and warrant; and
- Must attach the approving email from the judge to the application **and** warrant when filing with the Clerk's Office.

**Note:** Current KCPAO templates incorporate the above for a legally compliant warrant submitted and approved via e-mail. When completing a warrant in this manner, the judge is not required to put you under oath, although some still may choose to do so over the phone. Sealing documents and other court orders **CANNOT** be completed via email.

### **Sealed Search Warrants**

Once a search warrant and application is filed with the court, it becomes a public document. In those cases in which making details of the investigation public is not desirable, the warrant and application may be filed under seal and shielded from exposure. You must consult a prosecutor in those situations. The proper procedure for sealing search warrant materials, and a template, can be found on the *Search Warrant Resource Center* through *King County Sign-In*, “**Sealing Template with Instructions.**”

### **Filing Documents**

The original application, warrant, and return should all be filed as soon as the warrant has been served. Note: If the warrant was approved via email, include the approving email from the judge.

**Note:** 10 days is the **maximum** period a search warrant can be authorized by law. You must include the search warrant cause number on all documents. *If you have obtained your warrant authorization via email, the original is the one you print and sign for the judge as directed, and you must attach the judge’s email of approval to the application and the search warrant.*

### **Other Information**

- Submissions should be made on pleading paper (has line numbers down the left side);
- Submissions should have a 3” margin at the top of the first page of each document, start on line 7 (Note: current templates are compliant); and
- Double-sided documents will be rejected for filing by the Clerk’s Office.

### **Questions about these instructions? Please contact:**

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