

**GENERAL ORDER 12-14**

**Administrative Subpoenas issued pursuant to 725 ILCS 5/115-17b  
(Amending General Order #12-05)**

**IT IS HEREBY ORDERED:**

1. That all subpoenas duces tecum issued pursuant to 725 ILCS 5/115-17(b), shall, if issued by the State's Attorney, be made returnable to the Presiding Judge of the county in which they are issued.
2. That all subpoenas duces tecum issued pursuant to 725 ILCS 5/115-17(b), shall, if issued by the Illinois Attorney General, be made returnable to the Presiding Judge of the county in which the person whose records are being subpoenaed resides.
3. That pursuant to 725 ILCS 5/115-17(c-5), whenever a subpoena is issued under this Section, the State's Attorney or Attorney General, or their respective designee, shall provide a copy of the subpoena to the respective Presiding Judge of the county in which the subpoena is returnable.
4. That prior to the release of any records to the State's Attorney or the Illinois Attorney General, an affidavit shall be filed, indicating that the IP addresses in the subpoena are relevant to an investigation pertaining to an offense involving the sexual exploitation of children as defined in 725 ILCS 5/115-17(b) (a) and that the sealing of materials returned pursuant to the subpoena and nondisclosure are necessary.
5. That the Presiding Judge of Kendall County, the Presiding Judge of DeKalb County, and the Presiding Judge of the Felony Division of the Circuit Court of Kane County, are designated, pursuant to 725 ILCS 5/115-17b, to make the determination as to whether documents returned in response to such subpoenas are privileged and whether any such subpoena is unreasonable or oppressive, as well as to hold any hearing brought pursuant to 725 ILCS 5/115-17(d), and to enter any necessary orders pursuant to 725 ILCS 5/115-17(e) or 725 ILCS 5/115-17(f)
6. That all subpoenas duces tecum issued pursuant to 725 ILCS 5/115-17(b), shall be filed under seal with the Clerk of the Circuit Court upon return of the subpoena, and shall remain under seal for 90 days, at which time it shall be unsealed unless there is a court order providing otherwise.
7. This order supersedes General Order #12-05, entered on January 25, 2012.

ENTERED this 23 day of May, 2012

A copy of the original of this document is on file in my office

Attest: 5/23/12

*Deborah A. Saffler*  
Circuit Court Clerk, Kane County, Illinois

By: *Deborah A. Saffler*  
Deputy Clerk

*Robert B. Spence*  
ROBERT B. SPENCE  
Chief Judge