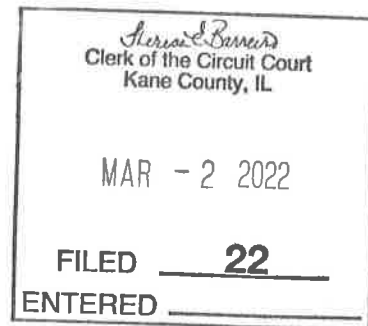


IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 22-05
effective March 2, 2022

IN THE MATTER OF)
PROCEDURES FOR)
ELECTRONIC AND IN-PERSON)
SEARCH WARRANTS)
SUPPLEMENTING GENERAL ORDER 12-17)



WHEREAS, the Illinois Code of Criminal Procedure 725 ILCS 5/108 provides for the issuance of both electronic and in person search warrants; and

WHEREAS, General Order 12-17 sets out best practices and procedures for processing in person search warrants; and

WHEREAS, to ensure compliance with statutory provisions for the issuance of electronic search warrants, best practices in the Sixteenth Judicial Circuit for processing electronic search warrants should be established.

THEREFORE, it is hereby ordered:

- 1) Every Complaint, Affidavit(s), and Search Warrant that meet the requirements set forth in 725 ILCS 5/108, shall be presented to the issuing Judge utilizing the electronic search warrant program whenever feasible.
- 2) That the police officer, and/or other affiant(s), presenting such Complaint, Affidavit, and Search Warrant shall affirm or be sworn under oath utilizing the audio and video platform of the electronic search warrant program.
- 3) That upon the issuing of the Search Warrant, the electronic search warrant program shall generate, via email, a copy of the signed Search Warrant and accompanying documents to be sent to the Kane County Circuit Clerk. A signed copy of the issued Search Warrant will be accessible in the electronic search warrant program for the police officer or other affiant.
- 4) That the Kane County Circuit Clerk shall file the Complaint, any Affidavit(s), and Search Warrant pursuant to the Supreme Court Record Keeping Manual.

- 5) That the return of the Search Warrant shall be made without unnecessary delay to the issuing Judge, or if he or she is not available, to a Judge of the Sixteenth Judicial Circuit Court, via the electronic search warrant program. This shall be done in accordance with General Order 14-28.
- 6) That the Judge before whom the return is made shall enter an order providing for the custody of any items seized pursuant to the Search Warrant, pending further proceedings.
- 7) Nothing in this order shall preclude a police officer, and/or affiant(s), from appearing in person for the issuance of a Search Warrant. Nothing in this order shall preclude the issuance of a Search Warrant that is not submitted through the electronic search warrant program.
- 8) That if a Search Warrant is issued not utilizing the electronic search warrant program, process and procedures as set forth in General Order 12-17 shall apply.

Entered this 2nd day of March 2022, and effective March 2, 2022.


Clint Hull, Chief Judge

A true copy of the original of this document is on file in my office
Attest: March 2 2022
Theresa E. Barreiro
Circuit Court Clerk, Kane County, Illinois
By: Theresa E. Barreiro/22
Deputy Clerk