	<b>CLERK OF THE COURT INTERNAL POLICY</b>	
	<b>Area: Records Management</b> <b>Document Number: POL-RECMAN-1012</b> <b>Subject: Search Warrant Returns</b>  Page: 1 of 2	<b>Effective Date: 7/16/09</b>  <b>Revision Level: B</b> <b>Last Revised Date: 4/29/15</b>

**PURPOSE:**

It is the purpose of this policy to define the guidelines utilized by the Clerk of Superior Court (COSC) regarding the processing of search warrants.

**POLICY:**

Upon execution of a search warrant, the return of which is made to a Superior Court Judge, Commissioner or Justice of the Peace, originals are sent to the COSC, Search Warrant Desk for processing. Search warrants are made part of the record pursuant to A.R.S. § 13-3918 (A) which directs that "...documents and records shall be open to the public as a judicial record." The complete text of the statute appears below. Superior Court Judges and Commissioners will generally make specific instructions regarding the sealing or unsealing of Search Warrant documents on a worksheet attached to those executed and returned documents. Generally, Justices of the Peace do not include such a directive with their executed search warrants. If the executed search warrants do not include specific directives regarding handling of the documents, they shall be processed according to the statute and made part of the public record.

**DEFINITIONS:**


**A.R.S § 13-3918. Time of execution and return**

A. A search warrant shall be executed within five calendar days from its issuance and returned to a magistrate within three court business days after the warrant is executed. Upon expiration of the five day period, the warrant is void unless the time is extended by a magistrate. The time for execution of the warrant may be extended for no longer than five calendar days. The documents and records of the court relating to the search warrant need not be open to the public until the return of the warrant or the warrant is deemed void pursuant to this section unless a magistrate orders the time to be shortened or lengthened for good cause. Thereafter, if the warrant has been executed, the documents and records shall be open to the public as a judicial record.

B. If a duplicate original search warrant has been executed, the peace officer who executed the warrant shall enter the exact time of its execution on its face.

**APPLICABILITY:**

This policy applies to all employees of the COSC.

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**REVISION HISTORY:**

Revision Number	Issuing Authority	Summary of Changes	Approval Date
-	N/A	Document Origination	7/16/09
A	Nancy Rodriguez	Revised	4/29/15
B	Christine Kelly	Updated to Controlled Document Index	6/26/15

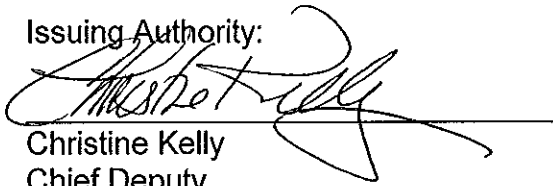
**AUTHORIZED SIGNATURES:**

Reviewed by:



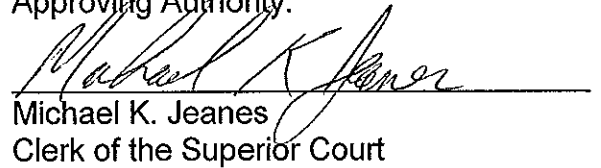
Nancy Rodriguez  
Deputy Director

Issuing Authority:



Christine Kelly  
Chief Deputy

Approving Authority:



Michael K. Jeanes  
Clerk of the Superior Court

Date Signed: 7/8/15