

Pre-Trial C Search Warrants

Directive #14-69
Issued by:

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Edward B. McConnell
Administrative Director

R. 3:5-6 provides that the judge who issues a search warrant shall attach thereto the return, inventory and all other papers (including any affidavits and a transcript of any oral testimony) and file them with the County Clerk of the county wherein the property was seized. Thereafter, the warrant, affidavit and transcript are confidential unless released on order of a Superior Court judge.

In order to preserve the confidentiality of such papers, the Supreme Court considers that it is desirable for the judge issuing the warrant to seal the papers in an envelope, placing appropriate identification on the outside, before sending it to the County Clerk and relying upon that office to seal it after receipt. At present it would be possible for search warrants and related papers to come to the attention of a number of persons in the Clerk's office in the ordinary course of its business before being sealed.

EDITOR'S NOTE

The reference in the first paragraph to the abolished County Court has been deleted.