

STATE OF INDIANA	)	MARION CIRCUIT AND
	)	SUPERIOR COURTS
	)	
COUNTY OF MARION	)	
	)	
In Re Local Court Rules	)	

**Notice of Proposed Local Rule Amendments, Finding Good Cause to Deviate from the Schedule for Amending Local Court Rules, and Requesting Comments**

The Judges of the Marion County Courts in compliance with the provisions of Trial Rule 81 give Notice of proposed amendments to their local court rule concerning the **Criminal Division Rules**. And, pursuant to Trial Rule 81(D), the Judges find that good cause exists to deviate from the schedule established by the Division of State Court Administration for the publishing of amendments to local rules. Accordingly, the Courts issue the following proposed amendments to the Marion County Local Court Rules and ask for comment from the bar and the public. Underlining indicates proposed additions and ~~striking through~~ indicates deletions. The amended rule will be effective on **October 29, 2017**.

Comments to this proposed Local Rule amendment will be received through **Noon on October 27, 2017**. Comments to this proposed amended Local Rule should be e-mailed to the Office of the Court Administrator, c/o Emily VanOsdol, at [Emily.VanOsdol@indy.gov](mailto:Emily.VanOsdol@indy.gov) or mailed to:

Emily VanOsdol  
Office of the Court Administrator  
Marion County Circuit and Superior Courts  
200 East Washington St., Ste. T1221  
Indianapolis, IN 46204

All of the above is so ORDERED this 27<sup>th</sup> day of September, 2017.

s/Timothy Oakes  
Judge Timothy Oakes  
Presiding Judge  
Marion Superior Court

\* Original signature on file with the Court.

## LR49-CR00-117. SEARCH WARRANT REQUESTS

- (a) **Electronic Search Warrant Requests.** All requests for a search warrant ~~must be that~~ are made electronically in accordance with IC § 35-33-5-8(a)(4) and (h), unless it is a request made concerning an investigation of the grand jury, must be submitted through the Marion Superior Court's Electronic Warrant System. Electronic search warrant requests will not be accepted via e-mail, unless the Electronic Warrant System has been determined to be unavailable by the Marion Superior Court. All electronic search warrant submissions must include an official cover sheet issued by Marion Superior Court and filled out by the law enforcement officer with at least the following information:
- the law enforcement officer's name;
  - the law enforcement officer's telephone number;
  - the law enforcement officer's email address (Note: This must be a government-issued work email address associated with the law enforcement agency.);
  - the date & time of the search warrant submission;
  - the search warrant priority level; and
  - the requirements of section (b)2, (b)3, b(4), & b(5) of this Rule.

Search warrant requests submitted to the Electronic Warrant System with a cover sheet that do not contain all of the above information shall be denied by the Marion County Clerk.

- (b) **Re-Submitted Search Warrant Requests.** All search warrants that have previously been submitted for consideration by a Judicial Officer must:
1. clearly indicate the language that has been amended, added or omitted in the re-submitted affidavit;
  2. indicate in the cover sheet the date that the search warrant was previously presented for consideration to another Judicial Officer, and the name of that Judicial Officer;
  3. provide explanation for why the affidavit is being submitted to a different Judicial Officer;
  4. provide the Cause Number of the previously reviewed search warrant affidavit; and
  5. indicate whether the previously reviewed request for a search warrant was granted or denied.