



State of Florida  
Ninth Judicial Circuit of Florida

LISA T. MUNYON  
Chief Judge

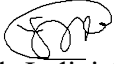
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LISA SHORTEN  
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May 10, 2024

MEMORANDUM

TO: Chiefs of all Law Enforcement Agencies  
Clerk of Court for Orange County  
Clerk of Court for Osceola County  
All Ninth Circuit Judges

FROM: Lisa T. Munyon   
Chief Judge, Ninth Judicial Circuit

SUBJECT: Warrant Signing Procedures

Effective May 13, 2024, the following procedures will modify the present “walk-in” warrant signing process to better accommodate law enforcement, allow emergencies to be handled efficiently and effectively, provide adequate time for the judges to thoroughly review warrants and affidavits in support thereof, and to sign and return warrants efficiently ensuring public safety. Additionally, the modified procedures will encourage and promote the use of electronic submittal and review of affidavits and warrants, and the electronic signing of the warrants that are legally sufficient.

**CURRENT WALK-IN SIGNING PROCEDURE**

The current “walk-in” warrant signing procedure is hereby discontinued. Emergency duty responsibility for the duty judge, after hours and on weekends and holidays, remain the same.

## **EMERGENCY WARRANTS**

The following guidelines have been set forth for seeking “emergency judicial intervention.” An “emergency” is “a unforeseen combination of circumstances that calls for immediate action. Law enforcement should seek emergency duty judge intervention only in rare and extreme circumstances where the law or totality of the circumstances requires immediate action.” It must “appear that urgent circumstances are present and that lack of immediate action would result in the loss of evidence or the imminent escape of a suspect. Only where law enforcement is waiting to immediately, directly, instantly, and at once, without delay, proceed on a search warrant or an arrest warrant shall judicial intervention be sought” on an emergency basis. “Such emergency applications are only for individuals whose location is presently known.”

When the individual’s location is unknown, emergency intervention may be sought only where “the identity is known and if the threat to the safety and welfare of a citizen is great,” which can only be alleviated by the immediate signing of the warrant.

Emergency warrants must be identified as such with a cover sheet that must include the name of the staff attorney or supervising officer (lieutenant or higher) who reviewed the warrant and affirmed the emergency nature of the warrant.

## **WHO WILL SIGN WARRANTS**

The judge assigned to the weekly emergency duty will be responsible for signing all warrants during his or her duty week. If the judge is unavailable, the judge’s judicial assistant will arrange for coverage by another judge and direct the law enforcement officer to the coverage judge. If the duty judge is not available and the judicial assistant to the duty judge has not arranged for an alternate judge, the chief judge should be contacted.

## **HOW WILL WARRANTS BE SIGNED**

Warrants will be divided into two categories: emergency and non-emergency warrants. Warrants and their accompanying affidavits will be submitted electronically to the duty judge. Each warrant will be identified either as an “emergency”, which needs expedited attention, or as a “non-emergency”, which does not need expedited attention but can be handled within 24 hours.

Warrants will be electronically submitted to either the “emergency” queue or the “non-emergency” queue. A law enforcement officer seeking an emergency warrant after normal business hours will notify the communications center as soon as the warrant and affidavit have been completed, signed and electronically submitted to the appropriate queue. The communication center will contact the on-duty judge to advise that an emergency warrant has been filed. A law enforcement officer needing an emergency warrant during normal business hours will contact the duty judge’s judicial assistant to alert the assigned judge that an emergency warrant is in the queue. The phone numbers for a judge’s judicial assistant are available on the Court’s website at [www.ninthcircuit.org](http://www.ninthcircuit.org) by clicking on the judge’s directory.

If an emergency exists and the agency cannot submit items electronically, then the law

enforcement officer can “walk through” warrants and accompanying affidavits to the duty judge as set forth below.

**WHEN WILL WARRANTS BE SIGNED**

When electronically filed, emergency warrants will be sent to the “emergency warrant” queue and will be handled as quickly as the duty judge is able to address them. Non-emergency warrants will be sent to the “non-emergency” warrant queue and will be addressed during the course of the day as time permits. Every effort will be made to review and act upon non-emergency requests within 24 hours. Use of the emergency queue for a warrant that is not an emergency will be addressed with the chief judge and agency director. The duty judge will be available, through their judicial assistant, as stated below:

	<b><u>EMERGENCY</u></b>	<b><u>NON-EMERGENCY</u></b>
Access to Electronic Filing	E-file anytime <i>or</i> Walk through M-F to the duty judge	E-file anytime No walk through warrants
No access to Electronic Filing Or if Electronic Filing is not functioning	Walk through M-F to the duty judge	By appointment only with the duty judge. Appointments can be made through the duty judge’s judicial assistant

If you have any questions about these new warrant procedures take effect May 13, 2024, please feel free to contact me at (407) 836-2470.

Your continued cooperation is greatly appreciated.