

RULE 44. Search Warrants

- (A) Applications for search warrants shall be submitted to the Equity/Criminal Presiding Judge or, if that judge is unavailable, to the Presiding Judge of the Court. If neither of those judges is available, the application may be submitted to any other judge of the General Division of the Court.
- (B) A request to seal the affidavit, warrant and/or return must be made to the issuing judge at the time the application is presented for review by the Court. The judge shall authorize sealing at the time the warrant is signed if the judge determines that sealing is appropriate.
- (C) A request to unseal a warrant and accompanying document(s) shall be made by motion to the issuing judge. After written notification to the appropriate prosecuting attorney and/or defense attorney, which shall be made not later than three days after the request is received by the issuing judge, a hearing shall be held not sooner than seven (7) days nor later than fourteen (14) days from the date the request was received by the issuing judge, unless otherwise ordered by the Court. The Court, in making its decision on the request, shall consider all relevant information as well as the provisions of Revised Code 149.43. This remedy is separate from any discovery remedy available to the defendant under the criminal rules.

Effective: (March 1, 2023)