

NOTICE TO THE BAR

COMMUNICATIONS DATA WARRANTS (CDWs) – ALL CRIMINAL DIVISION JUDGES AUTHORIZED TO HANDLE CDWs AS OF FEBRUARY 1, 2021

The Supreme Court has authorized all judges in the Criminal Division to handle communications data warrant (“CDW”) applications, as well as communications information orders and nondisclosure orders, as of February 1, 2021. The Court’s action does not extend to wiretap applications, which will continue to be handled only by a limited number of judges designated by the Chief Justice. The Court’s January 5, 2021 Order is attached.

In anticipation of the February 1, 2021 effective date, county prosecutors should reach out to the vicinage criminal presiding judges to confirm local arrangements before submission of an application to a judge who was not handling these applications before that date.

Questions on this notice may be directed to Assistant Director for Criminal Practice Sue Callaghan at (609) 815-2900 x55301.



Hon. Glenn A. Grant
Acting Administrative Director of the Courts

Dated: January 15, 2021

SUPREME COURT OF NEW JERSEY

IT IS ORDERED that, effective February 1, 2021 and until further order, all Superior Court judges assigned to the Criminal Division are authorized to receive applications for and issue communications data warrants, communications information orders, and nondisclosure orders. Communications data warrants are required to install pen registers (mechanical devices that record the number dialed on a telephone), warrants requiring the provider of an electronic communications service to disclose the contents of an electronic communication (electronic communications disclosure warrants), an in-progress trace or a trap-and-trace device or cell phone location information. Communications information orders are required to obtain disclosure of a record, including toll billing records, or other information pertaining to a subscriber or a customer of a wire or electronic communications service or remote computing service.

It is FURTHER ORDERED that applications for communications data warrants or communications information orders must state whether the application has previously been presented to another Criminal judge; and

It is FURTHER ORDERED that this Order shall supersede any and all prior

orders designating particular judges as Communications Data Warrant judges.

A handwritten signature in blue ink, appearing to read "Stuart Palmer".

Chief Justice

Dated: January 5, 2021