

**MEMORANDUM**

**TO:** Court Services Unit, U.S.D.C.  
Courtroom Deputies, U.S.D.C.  
U.S. Attorney's Office

**FROM:** Keith Holland, Court Services Supervisor, U.S.D.C.

**RE:** Procedures for Handling Wiretaps

**DATE:** April 3, 1996

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At the last judges' meeting it was decided that when a wiretap authority search warrant application is presented, the Clerk shall draw the Article III Judge from the Criminal Case Assignment System to hear the application. **This will be done in Sacramento by utilizing the search warrant number and case type SW to randomly assign a judge from the Criminal 01-05 Defendant Deck in the Case Assignment System.**

Since this judge draw is being made from the criminal Case Assignment System, even if the application does not result in a criminal action, the judge assigned will receive credit as if he had been assigned a "criminal case."

If a criminal case does subsequently arise from the evidence obtained via the wiretap, this new criminal action will be directly assigned to the same judge who was assigned the wiretap action. **It is incumbent upon the U.S. Attorney's Office to notify the Clerk's Office when a criminal case is filed which resulted from a wiretap search warrant action.**

The U.S. Attorney's Office has informed us that we receive approximately five to six applications for wiretap search warrants each year and, on the average, approximately three of these become criminal cases.

If you have any questions regarding these new procedures, please contact me.

Thank you.

cc: Jack Wagner  
Pat Sandlin