

Government Investigations: A How-to Guide from Ober|Kaler



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How to Respond to a Search Warrant: Ten Practical Steps

1. Try to remain calm.
2. Contact a lawyer. If you can't reach an attorney immediately, contact a designated managerial employee who is the point person to interact with law enforcement for the search warrant.
3. Ask the agents for identification, who is in charge of the search, and for contact information for agents on the scene. Make notes.
4. Ask for a copy of the search warrant and attachment and review them.
5. Make notes describing the documents and items seized by law enforcement.
6. Do not give consent to search extra areas without conferring with an attorney. If you are unable to reach an attorney, do not give consent.
7. Be calm, courteous and professional with law enforcement; do not obstruct.
8. Advise employees of their rights. Consider sending non-essential employees home.
9. Get a copy of the search warrant inventory and provide it to counsel.
10. Don't be surprised if you get a "clean up" subpoena. Provide that to counsel promptly.

About Ober|Kaler

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