

Jasper County Sheriff's Office Eviction Procedures - Civil Department Guidelines

(NOTE: Prior steps are required before a *Writ of Removal and Possession* can be issued by the court. Contact your attorney for advice.)

1. When the Clerk of Court receives a ruling on a *Forcible Entry and Detainer* action in the plaintiff's favor, you will need to request that the Clerk issue a **Writ of Removal and Possession** for the Sheriff. It will not be done automatically.
2. Bring the *Writ of Removal and Possession* to the Sheriff's office, Civil Division, between 8 a.m. and 4:30 p.m. Monday through Friday to schedule an eviction date & time. We will not schedule an eviction for the same day you have contacted us. The eviction must be executed during daytime hours and completed by 4:30 p.m. so we will schedule with that goal in mind. We must coordinate the eviction with our staffing availability. We do not have staff available to do evictions on the weekend.
3. IF REQUESTED, prior to the eviction, the Sheriff's Office will deliver a copy of the *Writ of Removal and Possession* along with a courtesy letter stating the date/time of the eviction to the address of the defendant. It is not necessary to serve this letter on the defendant, so we will post it on the door if no one is available to receive it.
4. The day of the eviction, we will expect the plaintiff or their agent to check the location to see if the defendant has vacated voluntarily. Please call our office to either confirm or cancel the eviction at 641-792-5912 and ask for the Civil Division. If you discover that the defendant has vacated prior to the eviction date, please inform our office so we can use that time for other purposes.
5. At the time for the eviction, we will expect the plaintiff to provide enough manpower to complete the eviction in a timely manner. If the plaintiff comes to the eviction grossly understaffed, we will reschedule for a time that enough staff can be provided. *Our function is to provide the authority, keep the peace, direct the procedure and insure property is not negligently handled.*
6. We request the plaintiff provide enough boxes and large trash bags to facilitate efficient moving of property. It is recommended the plaintiff supply plastic sheeting in case of inclement weather to protect property from damage. If a waterbed needs to be drained it is suggested to bring a pump in the interest of time. It is recommended to wear protective gloves and keep in mind the danger of sharp objects and blood borne pathogens. Refrigerators & freezers should be secured for safety purposes. Locksmiths should be considered in advance. The Sheriff may postpone the eviction if weather conditions are severe.
7. The plaintiff should move the property to the curb in accordance with local city ordinances. It is the plaintiff's responsibility to find out ordinance guidelines and follow them.
8. The plaintiff is expected to remove all property & all garbage from the location, including any storage areas or garages. The Sheriff will not be involved in determining what is valuable and what is not. If the defendant vacates voluntarily it is up to the plaintiff to decide if they want to have our office stand by while any remaining property is removed. If the eviction procedure is cancelled, the plaintiff accepts any liability for property left behind. Once the eviction is completed, the sheriff is not responsible for the defendant's property. The plaintiff will need to arrange for removal of anything left by the defendant in compliance with local ordinances.
9. Our fees for service of a *Writ of Removal and Possession* (an eviction) are \$30, plus mileage, plus \$25 per hour to attend the writ (1 hour minimum). Prepayment of \$100.00 will be collected at the time eviction is scheduled and prior to services being rendered. Refund, if applicable, will be mailed to plaintiff once eviction is completed.

NOTE: We suggest you DO NOT MAKE DEALS with your tenant once you have scheduled the WRIT of REMOVAL. If your tenant does not hold up their part of the bargain and their property remains inside the residence after the scheduled eviction has been executed, you may have to start the entire court process over from the beginning, incurring more time and fees.

(Contact your attorney for advice.)