



**Baltimore County Sheriff's Office
Towson, Maryland**

**Sheriff
R. Jay Fisher**

General Order

Subject: Writs of Possession	Effective Date 1/11/13	Number B-10
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Purpose: To establish the policies and procedures for Writs of Possession.

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- II. General Writ of Possession Procedures**
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I. Definitions:

- A. Writ Of Possession:** An order issued by a judge giving peaceable possession of property to a person or establishment as the result of a foreclosure or other litigation.
- B. Eviction:** Removal of a person and personal property from a specific property, residence, or location as designated by the court.

II. General Writ of Possession Procedures:

- A.** The writ is received from the court clerk's office by the Sheriff's Office clerk and is date and time stamped. The clerk enters the writ into the Sheriff's process inventory system.
- B.** After time stamping the writ, the Sheriff's Office clerk does a warrant, gun, and *In Pursuit* check for the location and the *known* residents of the writ and writes all relevant information in the Writs of Possession Checklist form (#224). The clerk then forwards the writ to the Field Operations Lieutenant for scheduling.
- C.** The Field Operations Lieutenant reviews the writ, logs it into the L drive, schedules foreclosures with attorneys and assigns the writ to the sergeants for posting.
- D.** Sergeants shall attempt to notify all parties involved with the writ. Attempts will be documented on Notification form (#223). If notification is not made, a copy of the writ cover sheet will be posted on the property.
- E.** The Writ of Possession Return of Service section is completed by the sergeant and the writ is returned to the Sheriff's Office clerk. The clerk forwards the writ to the court clerk's office and sends the Writs of Possession Checklist form (#224) and Notification form (#223) back to the Field Operations Lieutenant.

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III. Field Operations Lieutenant's Responsibilities

- A. Upon receipt, inspect the order to ensure the order includes the necessary instructions.
- B. Advise the plaintiff's attorney of the eviction time/date and request 8-10 movers, necessary equipment such as a truck and a locksmith to be present to conduct the removal/eviction. Advise the plaintiff's attorney to have all property of value removed from the premises.
- C. Note the time/date of removal/eviction on the front cover sheet and the Writ of Possession Checklist form (#224).
- D. Enter the writ information into the computer (L drive).
- E. Assign the writ to the appropriate squad sergeant.

IV. Sergeants' Responsibilities:

- A. Attempt to make contact with the occupant to advise him/her of the eviction time and date. These attempts shall be documented on the Writ of Possession Notification form (223).
- B. Make notification or post a copy of the writ cover sheet on the door of the property if unable to serve. Ensure that the cover sheet states time/date of removal/eviction. The sergeant shall maintain a record of all actions taken. He/she shall document his/her actions on the Return of Service form and the Notification form.
- C. Notify the Field Operations Lieutenant if the property is vacant upon attempting the notification.
- D. Take control of the property and have the bank representative or new owner sign the Notification form upon completion of the writ of possession. The locksmith may, if necessary, assist the Sergeant/Deputy to forcibly enter into any locked door/room within the dwelling occupied by the defendant to complete the removal.
- E. Remove/Evict occupants and personal property. Possession of real property will be awarded to the new owner listed on the writ. Personal property, deemed to be of value, will be removed from the real property at the time of the eviction. (*Note: Possessions shall not be placed out side on personal or public property.*)
- F. The Baltimore County Police Department shall be contacted when any firearms are recovered. They will respond and collect the firearm (see Property and Evidence G.O. B-2).

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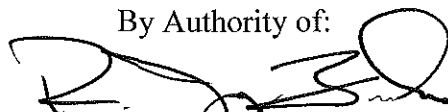
- G.** If the sergeant finds cash when removing/evicting personal property and the occupant is not present, he/she must collect the cash and package it according to office policy. The sergeant will complete a Baltimore County Sheriff's Office Event Report (Form #10) and Property Inventory form #72. An SD number will be drawn and assigned. The sergeant or another designated member will make attempts to notify the property owner and document those attempts on a Baltimore County Sheriff's Office Event Report form #11.
- H.** When a sergeant finds CDS during a removal/eviction, he/she shall seize the CDS and package it according to policy (see Property and Evidence General Order B-2), or designate a deputy to seize and package the CDS.
- I.** Each writ of possession requires an event report, therefore the sergeant shall complete a Baltimore County Sheriff's Office Event Report (Form #10) and Property Inventory form #72 for all property/contraband seized; if applicable, any time a writ of possession is served. An SD number will be drawn and assigned.
- J.** Obtain moving company and/or locksmith name and the name of any bank representatives that are present, and document it on the Writ of Possession Checklist form (224).
- K.** Ensure the Return of Service section of the writ and Writ of Possession Notification form (223) are completed and returned the Sheriff's office clerk.

Rescission:

Remove from manuals/files and rescind:
General Order B-10, Writs Of Possession, dated July 1, 2008.

Distribution:

All Members

By Authority of:

R. Jay Fisher
Sheriff

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Appendix 1

Baltimore County Sheriff's Office

Writ of Possession Checklist

Case Number: _____ Address of Writ: _____

Plaintiff: _____ Defendant: _____

For Completion by Sheriff's Office Clerk:	
Time/Date stamp: Yes/ No	Warrant /In Pursuit check results: _____

Date entered into batch file: _____	Gun check results: _____
Clerk signature: _____	Date/Time: _____

For completion by Field Operations Lieutenant:		
Writ addressed confirmed: Yes/No	Entered in S drive: Yes/No	Date: _____
Eviction date and time: _____		
Attorney contacted: Yes/No		
Attorney Name: _____	Address: _____	
Attorney phone number: _____		
Copy of writ given to area sergeant: Yes/No		
Original placed in sergeant filing cabinet: Yes/ No		
Notes:		

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Appendix 2

BALTIMORE COUNTY SHERIFF'S OFFICE
Writ of Possession Notification

Property location _____ Case# _____
Defendant(s) _____ Plaintiff(s) _____

ATTEMPTS:

Name: _____ Date _____ Time _____ Result _____

Comments _____

Name: _____ Date _____ Time _____ Result _____

Comments _____

Name: _____ Date _____ Time _____ Result _____

Comments _____

Name: _____ Date _____ Time _____ Result _____

Comments _____

Name: _____ Date _____ Time _____ Result _____

Comments _____

SERVED RECALLED WITHDRAWN NOT SERVED

If not served, provide reason :

Bank Representative/Property Owner: _____
(Signature)

Bank Representative /Property Owner: _____
(Print)

Locksmith: _____

Form 72 complete: Yes/No

DEPUTY'S NAME _____

DATE _____

FORM 223 9-13-12