



# GENERAL ORDER

Loudoun County Sheriff's Office

**Chapter:** Operations

**Section:** 412.8

**Subject:** Court Security/Civil Process

**Topic:** Civil Enforcement Policies and Procedures

**Accreditation:** OPR.12.01, 12.03, 12.04, 12.05, 12.07

**Revised:**

**Reaffirmed:**

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## I. PURPOSE

The purpose of this General Order is to describe the duties and responsibilities of deputies assigned to the Civil Enforcement Section.

## II. POLICY

It shall be the policy of the Corrections/Court Services Division to execute civil process and all other orders as directed by the Courts of Loudoun County in accordance with all applicable provisions of the Code of Virginia.

## III. PROCEDURES

### A. Operational Procedures – General

1. Location: The Civil Enforcement Section operates under the supervision of the Corrections/Court Services Division.
2. Tour of Duty: Hours of operation for sworn personnel are dictated by the Code of Virginia. This schedule is understood to be flexible as supervisors may adjust their assigned deputies' schedules to meet particular service demands.
3. Call In: Each deputy is assigned a voice mail number and an e-mail account. Deputies should check for messages on a regular, if not daily, basis.
4. Training: The Civil Enforcement Section Sergeant shall ensure that all Civil Enforcement deputies are properly trained. The Civil Enforcement Section Field Training Officer shall complete most squad training. The Sergeant and Field Training Officer shall schedule ongoing training.
5. Reports: The Civil Enforcement Section shall maintain reports on services, evictions, levies, sales, and other statistical data as required by supervisory personnel. These reports shall be turned in to the Civil Enforcement Section Sergeant on a monthly basis, reviewed and used as statistical data for planning and reporting purposes.
6. Vehicles: Deputies assigned county vehicles or cruisers shall at all times maintain such vehicle in proper condition and adhere to all current General Orders and departmental memos concerning the use of vehicles.

**B. Document and Control of Process**

1. The Civil Enforcement Section shall receive and execute all process and other papers in accordance with section § 8.01-294 of the Code of Virginia, as amended.
2. Upon receipt of process from the Loudoun County courts or courts of foreign jurisdictions, Civil Enforcement support staff shall ensure that the following steps are taken:
  - a. Collect and provide a receipt for service fees in accordance with section § 17.1-272 of the Code of Virginia, as amended.
  - b. Date and time stamp the document as received in the Civil Enforcement office.
  - c. Assign the document a Civil Enforcement control number.
  - d. Execute and attach a Civil Process Control Form.
  - e. Enter the following information regarding the document in the Civil Enforcement process system computer:
    - i. Date and time received
    - ii. Type of legal process
    - iii. Nature of document
    - iv. Source of document (jurisdiction)
    - v. Name of plaintiff/complainant or name of defendant/respondent
    - vi. Deputy assigned for service
    - vii. Date of assignment
    - viii. Court docket number
    - ix. Due date of service.
3. The Civil Enforcement Section Sergeant shall randomly review documents for service, ensure that the documents have been assigned a control number and a Control Form, and review served documents for accuracy.
4. Deputy Responsibility
  - a. Upon receipt of a document for service, the deputy shall review the document with particular attention to the nature of the paper, due date and location of

service.

- b. The assigned deputy shall proceed as soon as possible to serve the document/process as demands for service allow.
  - c. If the person, place or thing named in the document/process is found, the deputy shall serve the paper or execute in accordance with the law after service of paper. The serving deputy shall make the appropriate return on the document and complete the Control Form, indicating the date and time of service, location of service and method of service. The Control Form, along with the return copy of the process and other appropriate documentation, shall be returned to the support staff for processing.
  - d. In the event that service is attempted and not made, the deputy shall record the date and time, location and disposition of each attempt on the Control Form. If service cannot be made prior to the due date, the document shall be returned to support staff with the reason noted on the Control Form as well as the document.
5. Support Staff Responsibility
- a. Upon return of a process and Control Form, the support staff shall make the following entries in the Civil Enforcement system computer file:
    - i. Service made
      - (a) Date and time of service
      - (b) Location of service
      - (c) Executing deputy
      - (d) Method of service
      - (e) To whom process was served or how document was executed
    - ii. Service not effected
      - (a) Under "type of service" enter "non-service"
      - (b) Enter address and reason for non-service under disposition
  - b. Support Staff shall then forward the document to the appropriate jurisdiction. If the process/document is from out-of-state, an executed "Affidavit of Service" shall be attached and forwarded with the document.

- c. Financial Management: All monies received and/or collected by the Sheriff's Office as fees for the service of Legal Process shall be deposited and accounted for in accordance with the provisions of sections § 15.2-1609.3 and § 17.1-272 of the Code of Virginia and/or other applicable laws and ordinances.
- d. Bookkeeping and financial records of all monies/funds received by the Sheriff's Office in connection with the legal process function shall be maintained and shall conform to generally accepted accounting principles. Said records shall be audited annually by the Office of the State Auditor of Public Accounts in accordance with section § 30-134(A), Code of Virginia and/or other laws and ordinances as applicable.