



DANE COUNTY SHERIFF'S OFFICE

THE EVICTION PROCESS

DEPUTY SMITH



DEPUTY EARLL



STATUTES

59.27(4) – Sheriff responsible for serving/executing civil papers, writs and court orders

CHAPTER 799 - Writ of Restitution/Evictions

799.44(2) - 30 calendar days to deliver to Sheriff

799.45(5)(a) - 10 business days for Sheriff to execute

PROPERTY MEMO

The plaintiff is required by the DCSO to fill out this form when submitting the Writ of Restitution to the Sheriff. This is how the plaintiff notifies the Sheriff how the personal property of the tenant is to be handled during a forced eviction

The plaintiff chooses whether a mover will be used or the plaintiff will be using 799.45(3m) for the disposition of the tenant's personal property



(608) 264-6167

SHERIFF KALVIN D. BARRETT
DANE COUNTY SHERIFF'S OFFICE
 CHRISTOPHER J. NYGAARD, Chief Deputy
 (608) 264-6167



MATTHEW L. KARLS
 Captain, Administrative Services
 (608) 264-6176

DAVID R. DOHNAL
 Captain, Support Services
 (608) 264-6190

KERRY W. PORTER
 Captain, Security Services
 (608) 264-6165

JANICE L. TETZLAFF
 Captain, Field Services
 (608) 264-6870

WRIT OF RESTITUTION PROPERTY MEMO:

Case names: _____ VS _____
 (Plaintiff) (Defendant)

Dane County Circuit Court Case # _____

This memo has been prepared by _____ and I am the plaintiff/plaintiff's agent/plaintiff's attorney. (print name clearly and circle one)

The judgment plaintiff requests that the Dane County Sheriff's Office execute the Writ of Restitution in the above-captioned action. The Plaintiff has determined that the Writ of Restitution shall be executed in the following manner: **(Must select one option)**

The Dane County Sheriff's Office shall execute the Writ of Restitution action in accordance with Wis. Stats., §799.45(1) and §799.45(2)(b). The plaintiff will use one of the movers listed on the Dane County Sheriff's Office web site and pay all fees associated with that mover if eviction occurs. **(*fees below)**

The Dane County Sheriff's Office shall assist plaintiff in the removal or supervision of removal of all personal property described in the Writ of Restitution pursuant to Wis. Stats., §799.45(2)(bg). The plaintiff or plaintiff's agent shall be responsible for the removal and storage or disposal of all personal property found in the premises in accordance with Wis. Stats., §799.45(3m). The plaintiff/plaintiff's agent certifies that the notice requirements of Wis. Stat., §704.05(5) have been met. **(*fees below)**

- *FEES**
- Posting fee of \$40.00
 - Applicable mileage fees for each round trip
 - Stand by fee of \$113.56 per hour for 2 deputies with a 1hr minimum
 - Pre-payment required for accounts with past due balances

****See back of form for referenced Wisconsin Statutory provisions****

 Signature of person completing form

() _____
 contact phone number

Dane County Sheriff Kalvin D Barrett

MOVERS

799.45(3)(a) - Sheriff authorized to use a mover unless 799.45(3m) used by plaintiff

799.45(3)(b) – property to be taken to place of safe keeping within county selected by the Sheriff – within 3 days Notice of Removal of Property form issued/mailed – after delivery to place of safekeeping by the Sheriff, all expenses for storage and risk of damages to or loss of such property shall be borne by the defendant. Mover can put lien on property for storage fees.

MOVERS

We currently have 2 approved movers on our list for evictions - JC Property Management & Capital City Movers

If a mover wants to be approved to be on our list for evictions they are vetted and we have a checklist of requirements we go through with them – This is not required by statute but is a DCSO policy to protect the tenant and their property. If approved they are served eviction procedures as well.

- All movers on our list go through a yearly review

799.45(3M)

799.45(3m) – When delivering the writ to the Sheriff, the plaintiff notifies the Sheriff that the plaintiff will be responsible for the removal/storage OR disposal of the tenant's personal property if a forced eviction occurs

Plaintiff to retain anything medication/medically related for 7 days and return promptly upon request by the tenant

Plaintiff must follow the requirements in 704.05(5)

Plaintiff signs the property form – no requirement to show any proof to the Sheriff

VACATE ORDER

DCSO policy – not required by statute

Issued/posted next business day

Tenant notified to vacate immediately and how their personal property will be handled – mover or 799.45(3m)

We give a 24 hour courtesy period

Our phone numbers are on the form for tenant to call us with questions

Emergency housing information on the back of the form

Please direct any questions to
608-284-6818 or 608-284-6819

NOTICE

DOCKET NUMBER: _____

TO: _____

You are hereby notified that the Sheriff has a court order, Writ of Restitution, requiring the immediate removal of you and all other persons from the premises.

Failure to **VACATE IMMEDIATELY** will be cause for:

_____ The Sheriff to remove your belongings from the premises. Risk of damages to or loss of property and all storage and other related expenses shall be borne by the defendant after delivery by the Sheriff to the place of safekeeping.

_____ Per §799.45(3m), Wis. Stat., the plaintiff has notified the Sheriff that they will be responsible for the removal and storage or disposal of the property from the premises in accordance with §704.05(5).

Movers generally **DO NOT** take the following items: perishable items, food, mattresses and box springs, liquids, chemicals and items that are damaged or soiled. All firearms and ammunition will be removed by the Sheriff for safekeeping.

Dated this _____ day of _____, 20_____

KALVIN D. BARRETT Sheriff
Dane County, Wisconsin

Per _____ Deputy Sheriff

****PLEASE SEE BACK OF FORM FOR HOUSING, SHELTERS AND PET RESOURCES****

HOUSING — GENERAL

- *Community Action Coalition - 1819 Aberg Ave, Madison WI 608-242-7406
Monday, Wednesday, Thursday 1 pm to 4:30 pm Tuesday and Friday 8:30 am to 4:30 pm
- *United Way - 2-1-1 or 608-246-4357 (language assistance available)

ELDERLY/DISABLED

- *Aging and Disability Resource Center (ADRC) - 608-240-7400
provides information/assistance for all aspects of life related to aging and/or a disability

VETERAN/MILITARY SERVICE

- *VA Homelessness Program - 608-280-2095 (ask for outreach)

DAY SHELTERS/WARMING SHELTERS

- *The Beacon - 615 East Washington Ave, Madison - 608-826-8040
7 days a week - 8 am to 5 pm (open on all holidays)
- *Bethel Lutheran Church - 312 Wisconsin Ave, Madison - 608-257-3577
Tuesday & Thursday only 8:30 am to 4:30 pm (closed weekends and holidays)
- *Off the Square Club - 4 N Hancock St, Madison (diagnosed mental illness required)
Monday to Friday - 9 am to 4 pm - 608-251-6901 or offthesquareclub@isswis.org
- *Madison Central Library - 201 W Mifflin St, Madison - 608-266-6300
Monday to Thursday - 9 am to 9 pm Friday - 9 am to 6 pm Saturday - 9 am to 5 pm
and Sunday - 1 pm to 5 pm during school year - closed during summer
- *Wisconsin State Capital - Monday to Friday 8 am to 6 pm
Saturday, Sunday and all holidays - 8 am to 4 pm

OVERNIGHT SHELTERS

- *Grace Episcopal Church - 116 W. Washington Ave, Madison (single men 18 years old+ only)
must arrive between 5pm and 9 pm and must leave by 7:30 am daily - 608-255-5147
- *The Salvation Army - 630 E. Washington Ave, Madison (single women 18 years old+ only)
open starting at 5 pm daily 608-250-2226
- *The Salvation Army - 630 E. Washington Ave, Madison 608-250-2298
(adults with children under 18 years old)
- *Porchlight - 608-416-1446 200 N First St, Madison (single men 18 years old+ only)
-Intake Hours: 5pm to 8:30 pm Hours: 5 pm to 8:30 am

PET CARE/BOARDING

- *Dane County Humane Society accepts animal surrenders by appointment. Please call 608-838-0413 between 10 am and 7 pm on weekdays (excluding Wednesday) and 10 am to 5 pm on Wednesday and weekends to discuss scheduling options
- *WisCARES - 608-561-7387 - www.wiscare.wisc.edu or wiscare@gmail.com

WEBSITES

- *Homeless Services Consortium - www.danecountyhomeless.org - for a full listing of service providers, shelter weather exception night information and more.

The Dane County Sheriff's Office is providing this list of resources for information only. The list is not all-inclusive and should not be viewed as an endorsement of any specific service or provider.

PROPERTY NOTICE/TRESPASS WARNING

799.45(4) – all notices to be given to the defendant by the Sheriff shall be in writing and shall be personally served upon the defendant or mailed to the defendant at the last-known address, even if such address be the premises which are the subject of the eviction action

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

NOTICE OF REMOVAL OF PROPERTY AND TRESPASS WARNING

Plaintiff

VS

Defendant

To: _____

You are hereby notified that by virtue of a Writ of Restitution/Assistance issued by the above Court in the above entitled action on _____, the personal property from the premises located at:

_____ was removed and:

____ Placed in storage at _____, in the name of the defendant, subject to all expenses incurred for storage and other like charges after delivery.

____ The plaintiff/plaintiff's agent or attorney has notified the Dane County Sheriff that they are going to remove, store or dispose of all property of the judgment debtor/defendant in accordance with WI Statute 799.45(3m). Please contact the plaintiff at:

TRESPASS WARNING: You have been lawfully evicted from the above listed premises. If you return to the premises without the consent of the owner/property manager, you may be cited or arrested for trespassing by the local law enforcement agency in accordance with Wis. Stat. 943.13, 943.14 or local trespass ordinances.

Delivered: _____ in person _____ by mail

Dated this _____ day of _____, 20_____.

Kalvin D Barrett - Sheriff of Dane County

By _____ Deputy Sheriff

****PLEASE SEE BACK OF FORM FOR HOUSING, SHELTERS AND PET RESOURCES****

HOUSING – GENERAL

- *Community Action Coalition – 1819 Aberg Ave, Madison WI 608-242-7406
Monday, Wednesday, Thursday 1 pm to 4:30 pm Tuesday and Friday 8:30 am to 4:30 pm
- *United Way - 2-1-1 or 608-246-4357 (language assistance available)

ELDERLY/DISABLED

- *Aging and Disability Resource Center (ADRC) - 608-240-7400
provides information/assistance for all aspects of life related to aging and/or a disability

VETERAN/MILITARY SERVICE

- *VA Homelessness Program - 608-280-2095 (ask for outreach)

DAY SHELTERS/WARMING SHELTERS

- *The Beacon – 615 East Washington Ave, Madison – 608-826-8040
7 days a week – 8 am to 5 pm (open on all holidays)
- *Bethel Lutheran Church - 312 Wisconsin Ave, Madison - 608-257-3577
Tuesday & Thursday only 8:30 am to 4:30 pm (closed weekends and holidays)
- *Off the Square Club - 4 N Hancock St, Madison (diagnosed mental illness required)
- Monday to Friday - 9 am to 4 pm - 608-251-6901 or offthesquareclub@isswis.org
- *Madison Central Library - 201 W Mifflin St, Madison - 608-266-6300
Monday to Thursday 9 am to 9 pm Friday 9 am to 6 pm Saturday 9 am to 5 pm
and Sunday 1 pm to 5 pm during school year – closed during the summer
- *Wisconsin State Capital - Monday to Friday 8 am to 6 pm
Saturday, Sunday and all holidays - 8 am to 4 pm

OVERNIGHT SHELTERS

- *Grace Episcopal Church - 116 W. Washington Ave, Madison (single men 18 years old+ only)
must arrive between 5pm and 9 pm and must leave by 7:30 am daily - 608-255-5147
- *The Salvation Army - 630 E. Washington Ave, Madison (single women 18 years old+ only)
open starting at 5 pm daily 608-250-2226
- *The Salvation Army – 630 E. Washington Ave, Madison 608-250-2298
(adults with children under 18 years old)
- *Porchlight – 608-416-1446 200 N. First St, Madison (single men 18 years old+)
- Intake hours: 5pm to 8:30 pm Hours: 5pm to 8 am

PET CARE/BOARDING

- *Dane County Humane Society accepts animal surrenders by appointment. Please call 608-838-0413
between 10 am and 7 pm on weekdays (excluding Wednesday) and 10 am to 5 pm on Wednesday and
weekends to discuss scheduling options
- *WisCARES - 608-561-7387 - www.wiscares.wisc.edu or wiscares@gmail.com

WEBSITES

- *Homeless Services Consortium - www.danecountyhomeless.org - for a full listing of service providers,
shelter weather exception night information and more.

The Dane County Sheriff's Office is providing this list of resources for information only. The list is not all-inclusive and should not be viewed as an endorsement of any specific service or provider.

THANK YOU

Deputy Brian Smith – Monday - Friday 6:30 am to 2:30 pm

-608-284-6818 smith.brian@danesherriff.com

Deputy Matthew Earll – Monday – Friday 6:30am to 2:30 pm

-608-284-6819 earll@danesherriff.com