

Caledonia County Sheriff's Department
1126 Main Street, Ste. 2
St. Johnsbury, VT 05819
(802) 748-6666

CIVIL PROCESS GUIDELINES

This division handles the service and execution of court documents and processes. The civil division ensures that all processes are served in a timely manner.

Examples of Duties

- Receives legal process documents and instructions for service to litigants.
- Locates witnesses, makes positive identification of person being served and serves: court orders, writs, subpoenas, summons and notice of hearings.
- The civil division is staffed by 2 part time deputy/civil process servers and a secretary. The position of Deputy Sheriff/Process Server is distinguished from Deputy Sheriff in that this is a civilian class that does not perform the variety of law enforcement duties. Sheriff Michael H. Bergeron oversees this division.

Civil Process Fees

Fees charged by the Sheriff's Office for different types of civil process functions are established by the Court Administrators Office.

Deposits

- In order to expedite service and keep the cost of service to a minimum, some information will be helpful to this Office. We need to know the exact location of the Defendant. A Post Office Box Number or RFD address is not sufficient. We will not research an address for you.
- Our office has a sliding deposit requirement for service (see below). The actual cost for service is \$50.00 for each person served. The mileage rate is dependent on the GSA mileage rate, which at this time is \$.50 per mile. Any overpayment will be returned to you. If we have exhausted the deposit, you will be billed for the additional amount owed to the Office. Payment is expected within 30 days of the date of billing. If you do not provide enough of a deposit, you will be contacted for the balance. Any refund under \$1.00 will not be refunded and any billing that is under \$1.00 will not be billed.

Deposit Requirements

There is a \$75.00 deposit required for each defendant.

Summons & Complaint

- If a plaintiff desires the Sheriff's Office to serve a summons and complaint in a Civil Court action, the plaintiff should provide the Sheriff's Office with the original summons and a copy of the summons and complaint for each defendant in the action.
- The Deputy Sheriff/Process Server will serve the copy and return the original summons, along with a Return of Service to the plaintiff. The Civil Division will also file the original with the Court.

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Subpoena

- Subpoenas can be obtained through the courts where the action was filed.
- An original and a copy for service must be given to the Sheriff's Office. Following service, the original subpoena will be returned to the Court by the Sheriff's Office and the plaintiff will receive a copy. A subpoena can be served upon the named person or left with someone of "suitable age and discretion" who resides at the same address.

Orders Against Trespass

Orders Against Trespass are completed by the plaintiff in a matter and can be served by either Certified Mail (return receipt) or by the Sheriff's Office. An Order Against Trespass is only effective once it has been delivered by postal mail (with return receipt) or served by the Sheriff's Office and proof of service is provided to your local law enforcement agency.

Writ of Execution/Possession

Writs of Execution and Writs of Possession are orders issued by the courts directing the Sheriff to satisfy a judgment. The orders may be for personal or real property.