

**BONNEVILLE COUNTY SHERIFF'S OFFICE  
ENFORCEMENT OF CIVIL LAW & PROCESS**

**THE SHERIFF'S POLICY IS TO FOLLOW LAW,  
VALID COURT ORDERS AND INSTRUCTIONS  
DURING CIVIL PROCESS PROCEDURES; AND  
REMAIN NEUTRAL IN CONTRACT DISPUTES.**



Sheriff's deputies are not allowed to give legal advice. This

pamphlet is generally designed to refer you to Idaho Law and Sheriff's Policy related to enforcement of Civil Law. The Sheriff recommends you seek legal counsel to determine your rights, lawful requirements and the appropriate civil process in order to facilitate your rights. The Sheriff reserves the right to seek legal counsel and implement appropriate policy for his Office.

*Refer to Idaho Codes Title 5 through Title 13 for Civil Procedures and Process. An Attorney can give you legal advice.*

## IDAHO CODE

Idaho Code Title 5 through Title 13 includes some Idaho Civil Law for your review. The court may require you also follow specific procedures concerning notice verification, etc. The Sheriff intends to comply with the law and enforce a valid court order you or your attorney may obtain through civil law. The Sheriff cannot deviate from or change the court order, so it is important to obtain a valid court order that lawfully represents your preference and expectations.

Sheriff's Deputies are not authorized to give legal advice, interpret law or give recommendations. They may explain the Sheriff's policy and procedures concerning the general execution of specific court orders.

### LAWFUL DUE PROCESS

## SHERIFF'S POLICY AND THE LAW

If a Court order directs the Sheriff to evict a person and personal property, the Sheriff requires you or your attorney to schedule and pay for a licensed, bonded or insured moving company to safely remove and store their personal property.

If a Court order directs the Sheriff to sell the personal property, the Sheriff intends to sell the property in compliance with the Court order and the law. The Sheriff cannot guarantee you will receive an amount from the sale of another person's personal property to cover the costs of moving and storage of the personal property.

Law and Policy provisions also apply if the Court order directs the Sheriff to sell livestock, perishable property or real property.

Idaho Code is Available  
@ Idaho.Gov or a Law Library

If a Court order directs the Sheriff to evict a person and authorizes you or your attorney to lock the premises and take sole responsibility for the person's personal property; It is your responsibility and expense to arrange for the premises locks to be changed on the eviction date and time.

Idaho Code provides exemptions that may preclude the sale of certain personal property. The law may also mandate a waiting period before a Sheriff's sale, to allow the person or a third party an opportunity to file and claim a property exemption with the court.

You should consider the provisions of Idaho Code, Sheriff's Policy and an attorney's legal advice concerning a legal civil process to resolve any issue concerning protected rights under the law.

You may seek redress under the law for damages to your real or personal property.

Civil Law, Court Orders and the Sheriff's Policy are an attempt to provide due process, equal protection and treatment to the involved parties.

A citizen and or an attorney initiates and determines what civil remedy or process they seek from a court of law. The Court process determines the nature and content of a court order. The Court collects fees for the appropriate civil process.

A citizen or an attorney coordinate with the Sheriff's Civil Process Office to serve and execute the court order. The Sheriff collects fees for the appropriate civil process, service and return when the Court order is initially delivered to the Civil Process Office

The Sheriff attempts to execute the court order as it is written. The Sheriff submits a return of service to the court.

Money from a Sheriff's sale is distributed in compliance with law and court order.

Disclaimer: Laws, Policy, Fees, Websites are subject to change.

## HELPFUL WEBSITES

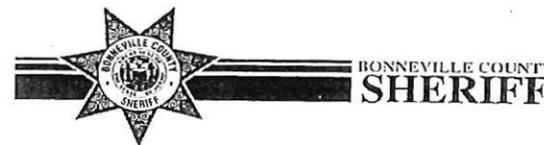
You or your attorney may obtain Idaho Court approved forms, that may be appropriate for your case, at the following website.

[www.courtselfhelp.idaho.gov](http://www.courtselfhelp.idaho.gov)

The State of Idaho Attorney General published a Landlord /Tenant guidelines manual to assist landlords and tenants of residential property to understand rights and responsibilities. You may access the information at [www.state.id.us/ag](http://www.state.id.us/ag) under publications, pamphlets & legal manuals, Idaho Landlord/Tenant Guidelines.

You and your attorney may access Idaho Law pertaining to Civil Law and Procedures at the [www.idaho.gov](http://www.idaho.gov) Official Web Site under Laws - Find a Statute (Idaho Code).

*This brochure is not intended to replace the advice of an attorney and does not constitute legal advice . You are advised to seek legal counsel.*



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