

Linn County Sheriff's Office Eviction Procedures
After Notice to Quit and Forcible Entry Have Been Served

1. When the clerk of court receives a ruling on a forcible entry and detainer action in the plaintiff's favor the plaintiff will need to request that the clerk issue a writ of possession to the sheriff. It will not be done automatically.
2. The plaintiff should appear at the sheriff's office to fill out directions to the sheriff Monday through Friday, except holidays. It is the plaintiff's responsibility to supply the labor to remove the defendant's possessions. If the plaintiff fails to supply enough labor, the deputy is instructed not to start the eviction. This will require the plaintiff to set up a new date and time with the sheriff's office for the eviction. No action on the writ will commence until the advance fees as required by the sheriff's office and directions to the sheriff are received.
3. Upon the completion of the above actions, the writ will be assigned to a deputy sheriff. The deputy will call the plaintiff to set up a date and time for the eviction that is compatible with the plaintiff and the sheriff's office. The deputy will post a two day courtesy letter at the address given on the writ indicating the day the eviction will take place.
4. The plaintiff is expected to check the address of the eviction at least one hour before the eviction is to be conducted to see if the defendant has vacated voluntarily and would want to cancel the eviction. If the plaintiff cancels the eviction, the plaintiff accepts any liability for property left behind by the defendant.
5. Except by determination by the sheriff's office regarding inclement weather, the only way that an eviction will be postponed is at the request of the plaintiff. The only way an eviction will be cancelled is upon request of the plaintiff or the sheriff's office receiving a court order.
6. The sheriff's office function at an eviction is to provide the authority, keep the peace and direct the procedure.
7. Evictions will only be conducted during weekdays and daylight hours. The process must be completed by 5 p.m.
8. Any deviation of the above procedures will have to be cleared by the supervisor or commander of the Linn County Sheriff's Office Civil Division.