



**KEVIN W. MORRIS**  
SHERIFF

# DOUGLAS COUNTY SHERIFF

DEDICATION / COMMITMENT / SERVICE

[www.douglascountysheriff.org](http://www.douglascountysheriff.org)

**TYLER I. CAILLE**  
UNDERSHERIFF

**STEVE GROSECLOSE**  
CHIEF CRIMINAL DEPUTY

**KELLY A. SOLTWISCH**  
CHIEF CIVIL DEPUTY

## Civil Standby Orders

A Civil Standby occurs when a Deputy Sheriff is present while parties in civil litigation exchange property or one of the parties is allowed to enter a residence, building or vehicle to obtain property. Civil Standby is intended to keep the peace.

The Douglas County Sheriff's Office does not provide Civil Standby services unless a valid Civil Standby Order is provided to the Sheriff's Office. The Civil Standby Order must specifically order the Douglas County Sheriff's Office to provide Civil Standby services. A Civil Standby Order that refers only to "law enforcement" is insufficient. The Civil Standby Order must also identify the property to be obtained or exchanged, and the location where the property will be obtained or exchanged.

The availability of the Douglas County Sheriff's Office to provide Civil Standby services depends upon current call volume and staffing. The Sheriff's Office will attempt to accommodate the parties in effecting a Civil Standby as soon as call volume and staffing permit.

There are limitations on the actions a Deputy Sheriff will take during a Civil Standby.

- A Deputy Sheriff will not break into and/or enter any residence, building or vehicle.
- A Deputy Sheriff will not restrain the movement of any person or vehicle.
- A Deputy Sheriff will not physically remove or load any property.
- A Civil Standby authorized in a Domestic Violence Order to allow a party to obtain his or her personal effects, clothing, personal hygiene items or medications, or such items for his/her children, or his or her tools of the trade, business records or business equipment, shall be limited to 15 minutes, after which the party retrieving property must leave the premises.
- A Deputy Sheriff will not resolve disputes regarding the property items to be obtained or exchanged. A Deputy Sheriff will not allow removal of disputed property. The parties should bring disputes to the Court that issued the Civil Standby Order at the next court hearing.

A Civil Standby Order does not give a Deputy Sheriff the right to trespass on real property. A Deputy Sheriff will leave the premises if asked to do so. Likewise, if a party or any other person assisting a party is asked to leave the premises and refuses to leave, that person may be subject to arrest or issuance of a citation/complaint for Criminal Trespass.

A party who willfully fails to comply with the Court Order authorizing the property exchange may be subject to punishment through civil contempt proceedings. A Deputy Sheriff will not arrest a party for refusing to complete the property exchange. However, if a party, or any person assisting a party, engages in unlawful self-help action (trespass, unlawful entry into a residence, building or vehicle, malicious mischief, or assault) or in any action constituting a criminal offense under Washington law, that person is subject to arrest and/or issuance of a criminal citation/complaint.

A Civil Standby Order is not legally sufficient to require the Douglas County Sheriff's Office to seize property, remove persons from a residence or building, or remove a child from the custody of another person. Such assistance of the Douglas County Sheriff's Office may only be obtained through a Writ issued by a Washington Court, such as a Writ of Attachment, a Writ of Restitution or a Writ of Habeas Corpus.

If you have any questions, call Chief Civil Deputy Kelly A. Soltwisch during office hours at (509) 884-0941.