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SUBJECT: POLICE ASSISTANCE TO WRIT SERVERS, PROCESS SERVERS, AND LANDLORD-TENANT OFFICERS

1. POLICY

- A. All requests for assistance to Writ Servers, Process Servers, Landlord-Tenant Officers or Deputy Sheriffs serving Writs shall be handled by **patrol supervisors only**. Police officers will remain away from the scene unless their assistance is requested by a patrol supervisor through Police Radio.
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2. DEFINITION

- A. Writ - a written order issued by a court requiring the performance of a specified act or giving authority to have it done. The Writ serves as official notice to the civil defendant in legal proceedings.
- B. Writ Server - Personnel of the Municipal Court appointed in accordance with [42.Pa.C.S. §2301](#) authorized to serve Writs.
- C. Landlord Tenant Officer - Personnel of the Municipal Court appointed in accordance with [42 Pa.C.S. §2301](#) with specific authority to serve and enforce landlord-tenant related writs, which include the authority to physically eject or evict tenants.
- D. Deputy Sheriff - the Sheriff's Office serves as the enforcement arm of the courts. In the criminal courts, the Deputy Sheriffs guard and transport persons on trial, transport convicted persons to prison, and provide courtroom security. In the civil courts, the Deputies serve complaints, subpoenas, and court orders; they also carry out court orders, including the seizure and public sale of property, and crowd control for picketing and demonstrations.
- E. Process Server - Process servers deliver legal documents in the litigation process to defendants or parties in action in legal proceedings. This includes private lawsuits, court summons, subpoenas, complaints and other court dealings. Individuals in this role do not have to be licensed to become process servers in Pennsylvania. In addition to service of original process by the sheriff, process can also be served by a competent adult if they are in Philadelphia County per [PARCP Rule 400.1](#).

3. WRIT OR PROCESS SERVICE

- A. Writs may be served by a Writ Server, Landlord-Tenant Officer, or a Deputy Sheriff depending on the type of legal matter involved.
- B. Officers should be aware that Writ Servers and Landlord-Tenant Officers are civilians and will be in civilian attire, however, they will have photo identification issued from the Philadelphia Municipal Court.
- C. Process Servers can be a competent adult who is over 18 years of age, is not a party to the case, and is not related to or employed by someone who is a party to the case. Process Servers will also be in civilian attire and should have legal photo identification.

4. PROCEDURE

- A. Police officers on patrol, who receive a request from a Writ Server, Process Server, Landlord-Tenant Officer, or Deputy Sheriff to assist in the service of any Writ or Process, shall relay the request to Police Radio and instruct the individual to await the arrival of a patrol supervisor. The police officer will resume patrol after notifying Police Radio of the request.
- B. All requests to assist in any Writ or Process service received in the District Operations Room will be relayed to Police Radio by the Operations Room Supervisor (ORS) or designee.
- C. Police Radio Room personnel, upon receipt of a request to assist in any Writ or Process service, will dispatch a **patrol supervisor only**.
 - 1. If a patrol supervisor is unavailable in the district of occurrence, Police Radio will dispatch a supervisor from the nearest district.
 - 2. No other police personnel will be sent by Police Radio unless requested by a patrol supervisor.
- D. Patrol Supervisors responding to a “Meet Writ Server” or “Meet Process Server” shall:
 - 1. Ask for proper identification and review a copy of the Writ, Process or other legal documents.
 - 2. Not assist the Writ Server, Process Server, Landlord-Tenant Officer, or Deputy Sheriff in surveillance, gaining entrance, or in helping remove articles from any premise.

3. Assume a position of observation outside the premises, if possible, and not take any police action, unless a crime or incident occurs. The role of the supervisor, by their mere presence, is to maintain the peace and prevent the Writ Server, Process Server, Landlord Tenant Officer or Deputy Sheriff from being assaulted while in the performance of their official duties.

NOTE: Eviction service can be hostile and confrontational. If assistance is requested by a Landlord Tenant Officer or Deputy Sheriff for a physical eviction, the supervisor should remain in visual contact with the Officer or Deputy during the eviction process. This shall include entering the premises if necessary. If there is a high likelihood of violence or multiple occupants being evicted, the supervisor may request sufficient Police Officers to the scene.

4. Return to service immediately upon completion of the Writ or Process service.
5. Submit a Complaint or Incident Report (75-48, with DC Numbers) with all pertinent information, including the name and address of Writ Server, Process Server, Landlord-Tenant Officer or Deputy Sheriff, (verified by photo identification) and type of Writ or Process served.

E. Operations Room Supervisors will:

1. Relay requests from a Writ Server, Process Server, Landlord-Tenant Officer, or Deputy Sheriff to assist in the service of any Writ or Process, received in the District Operations Room, to Police Radio.
2. Review all 75-48s and whenever police assistance is given to a Writ Server, Process Server, Landlord-Tenant Officer, or Deputy Sheriff, code the 75-48 as, "Police Assistance to Writ Service," Philadelphia Incident Classification Code 3403.

NOTE: If another incident or an offense occurs while providing any Writ or Process assistance, a second report will be prepared with a separate District Control Number (DC#) for that incident or offense that occurred.

3. Ensure that all entries into the PremierOne Records Management System (PIRMS) are accurate and complete.

BY COMMAND OF THE POLICE COMMISSIONER
