



## ONEIDA COUNTY SHERIFF'S OFFICE

Grady M. Hartman  
Sheriff

Daniel L. Hess  
Chief Deputy



### ONEIDA COUNTY CIVIL PROCESS WRIT OF RESTITUION (EVICTION) PROCEDURE

*The information contained on this site is for general guidance only and is in no way intended to be legal advice. As such, it should not be used as a substitute for consultation with an attorney or other advisor as necessary.*

Pursuant to Sec. 799.45 Wis. Stats., a plaintiff in an eviction action may remove a tenant and dispose of a tenant's property using the procedure outlined below.

- 1) Obtain a valid Writ of Restitution from the Oneida County Circuit Court. At the time of the eviction judgment the court shall order that a Writ of Restitution be issued.
  - Landlords are responsible for making sure that all the information contained in the Writ is correct so review the Writ before leaving the Clerk of Courts. Do not alter the original court document. The Oneida County Sheriff's Office will not accept the paper.
  - Make sure the writ contains the following: correct court case number, correct spelling of plaintiff and defendant names, complete address to be vacated (including apartment number), signature of court official, date, and red Clerk of Court seal.
- 2) A Writ of Restitution is only valid for a limited time.
  - The Writ of Restitution is valid for 30 calendar days and must be delivered to the Sheriff's Office within that time, under 799.44(1),(2).
  - The Sheriff must act within 10 business days after receiving the writ, under 799.45(5)(a). Deputies will advise plaintiff of the expiration date after posting the Writ of Restitution.
- 3) Decide which type of eviction you want to do before delivering the Writ to the Sheriff. Under 799.45(1), upon delivery of the Writ of Restitution to the Sheriff of Oneida County, plaintiff must notify what way the eviction is going to be executed.
- 4) Forced evictions are scheduled by the Court Sergeant. If the landlord chooses the mover option it is the landlord's responsibility to hire the mover and pay for the mover. The moving company must be bonded and pre-approved by the Sheriff's Office.



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- 5) Bonded Movers. Deliver Writ to the Sheriff's Office. The Plaintiff is responsible for all expenses associated with using bonded movers. The following Bonded Movers have met the criteria set forth by the Oneida County Sheriff's Office:
- 6) Self- Bonded Evictions
  - Obtain a valid Writ of Restitution
  - Obtain a bond of indemnity containing all pertinent names (spelled correctly), court case number and complete addresses. All bonds MUST indemnify Sheriff Grady Hartman, his designees and Oneida County.
  - A \$5,000 bond for apartment and \$10,000 bond for houses/businesses is required. Higher bonds may be required dependent on individual circumstances. The original bond and original power of attorney must be filed with the Oneida County Sheriff.