More About The Civil Process Division

Officers of the Essex County Sheriff’s Civil Process Division serve the Superior Court’s Civil Division in much the same way as Sheriff’s detectives serve the court’s Criminal Division. Civil Process detectives execute summonses and complaints, writs of execution, writs of possession and other court orders.

Summonses are legal documents enabling the Superior Court to have jurisdiction over a civil action. Complaints are legal documents which explain why certain civil actions are brought before the Superior Court. Complaints also outline the specific relief sought in the civil action.

Upon receipt and entry of summonses and complaints into our computer system, Civil Process Division detectives are responsible for the delivery of Superior Court orders throughout Essex County within forty (40) days. To expedite these court orders, detectives initiate a minimum of three (3) attempts at various times of the day and week to deliver and serve summonses and complaints.

A writ of execution is a court order directing the Sheriff’s Office to perform specified acts, such as freezing personal assets and conducting bank, motor vehicle or rent levies, or wage garnishments.

A writ of possession is a court order commanding the Sheriff’s Office to take possession of real or personal property, such as office equipment, household items or monies that may be owed to another party.

Civil Process detectives enforce court-ordered writs of execution, writs of possession and civil arrest warrants. These court orders command the Sheriff’s Office to levy, seize and/or sell a debtor’s property to satisfy a judgment. Often, the court directs the Sheriff’s Office to seize real property, such as houses and lots, and mandates these properties be sold at public auction. The court may also command the arrest of persons who fail to comply with court directives.

Once real or personal property is seized, the Sheriff’s Office, at the direction of the court, coordinates a sale and/or forwards the property to the party adjudicated to be entitled to the property under the judgment.

All fees and commissions associated with the collection of the judgment are forwarded to the Essex County Treasury to offset the cost of county government. On average, the Civil Process Division collects and transfers approximately $3 million every year in fees and commissions to the county treasury. These funds are secured in public accounts.