

**Lower Providence Township Police Department  
Eagleville, Pennsylvania**

General Order ☒  
Special Order ☐  
Personnel Order ☐

**ORDER NUMBER**

**1008**

**Subject**

**Procedures for Civil Process**

**Date of Issue**

**January 16, 2020**

**Effective Date**

**January 16, 2020**

**Expiration Date**

**Until Amended or  
Rescinded**

**Issued by:**

**Michael Jackson, Chief of Police**

**Amends**

**Rescinds**

**All Previous Orders**

**Standard Number:**

**2.7.3 / 2.7.4**

**Distribution**

- 1. General Order Manuals**
- 2. Records Manual**
- 3. Reading Verification to all Personnel**

## **I. PURPOSE**

The purpose of this general order is to provide members with guidelines on Civil Process Procedures.

## **II. POLICY**

N/A

## **III. Definitions**

- A. Complete eviction - Eviction and removal of a tenant and all members of the tenant's household.
- B. Partial eviction - The eviction and removal of specified persons other than the tenant from leased residential property.

## **IV. PROCEDURE**

### **A. Service Of Civil Processes**

1. Any civil processes shall be served by at least two sworn members.
2. In general, the only civil processes that may be the responsibility of Lower Providence Township Police Department members are the following.
  - a. Protection from Abuse Orders (PFAs).
    - (1) PFAs will be served on defendants within Lower Providence Township under the following circumstances:
      - (a) Emergency PFAs issued by a Magisterial District Judge

- (b) When requested to serve, or assist in serving, PFAs normally handled by the Sheriff.
  - (2) When serving PFAs from a jurisdiction other than Montgomery County, officers shall make every reasonable effort to verify the validity of the Order.
- b. Child Custody Orders
  - (1) The Lower Providence Township Police Department generally will not serve child custody orders.
  - (2) Enforcement of child custody orders will generally be reserved to the arrest of persons actively attempting to remove a child from the custody of the court appointed custodian
    - (a) Charges to be filed, if any, are at the discretion of the investigating member.
- c. Model Expedited Eviction of Drug Traffickers Act, Title 35 Health and Safety, Chapter 6A
  - (1) Civil action under this act may be brought by the landlord, tenant organization, district attorney, or the attorney general, if requested by the district attorney.
  - (2) Any removal or eviction order issued by a court under this act shall be enforced by the person or entity bringing the action. The appropriate law enforcement agency shall upon request of the person bringing the action assume responsibility for the actual execution of the removal or eviction.
- d. Mental Health Warrants
  - (1) The Lower Providence Township Police Department shall have the authority to serve Mental Health Warrants issued for the involuntary commitment of an individual for the purpose of a mental health evaluation in conformance with the Mental Health Act.
- e. Protection of Victims of Sexual Violence or Intimidation Orders (PSVI)
  - (1) PSVI's will be served on defendants living in Lower Providence Township under the following circumstances:
    - (a) Emergency PSVI's issued by a District Judge or;
    - (b) When requested to serve or assist in serving PSVI's normally handled by the Montgomery County Sheriff's Department.

Reference Directive 4.13.1 – Protection of Victims of Sexual Violence or Intimidation Act.

**B. Civil Process Requires Sworn Service**

- 1. The service of all civil processes authorized by this General Order shall be executed only by sworn members of the Lower Providence Township Police Department.
- 2. Sufficient resources shall be provided by the shift supervisor to maintain order and provide for the safety and security of the serving members.

**C. Responsibilities on Completion of Service of Civil Process**

- 1. On the completion of the service of civil process, or the attempted service of civil process, the officer serving the process shall complete any verification of service, verification of seizure of property or return of service documentation that may be required by procedure or law and to forward said documentation or cause said documentation to be forwarded by personal delivery, electronic mail or fax to the issuing authority or agency.

*Michael Jackson*

Michael Jackson  
Chief of Police