



## SHEBOYGAN COUNTY SHERIFF'S OFFICE

*Matt Spence, Sheriff*

*Chad Broeren,*

*Inspector*

*Phone: (920) 459-3112*

*FAX: (920) 459-4305*

### **Summons and Complaint for Eviction**

- Prior to applying for a Summons and Complaint for an eviction, you, the owner or landlord of the property, must post a five(5), fourteen(14), or twenty-eight(28) day notice to vacate. For assistance, requirements, or questions regarding the notice, please refer to Wisconsin State Statute #704.17. The Sheboygan County Sheriff's Office will accept the notice for service or posting, however, there will be a \$60 fee for the process service, in addition to the \$60 that our office charges for service of the Summons and Complaint.
- Once the notice has been properly completed, you may draw the Summons and Complaint for Eviction from the Sheboygan County Clerk of Courts Office. Their address is 615 N. 6<sup>th</sup> St. Sheboygan, Wi. 53081, phone number 920-459-3068. Office hours are Monday-Friday, 8AM to 5PM, excluding holidays. You may also eFile the Summons and Complaints. Please call the Clerks office first for directions.
- Once you have completed the paperwork, you will be given a return court date. The return dates normally occur on Mondays. We ask that you get a date at least three weeks from the current week you are in. This will ensure that the Civil Process Server can fulfill their legal obligations for service. It will also ensure that you, the plaintiff, will have sufficient time to do a mailing of the Summons and Complaint should our office "tack" the paper. **\*\*THE SHEBOYGAN COUNTY SHERIFF'S OFFICE DOESN'T DO THE MAILING\*\*.**

- After finishing at the Clerk of Courts Office, you will need to file two copies of your paperwork with our office for service. The papers may be brought in person, mailed, or eFiled. Our office is next door to the court house at 525 N. 6<sup>th</sup> St. Sheboygan, Wi. 53081. For assistance in getting Summons and Complaints to our office, please call 920-459-4355 Monday to Friday 8:30AM to 4:30PM. As mentioned earlier, the Sheboygan County Sheriff's Office charges a \$60 fee for service.
- When filing your papers with our office, we ask that you include your phone number, or the phone number of who would like notified of service. Other things to consider, would be to provide detailed instructions as the correct location of the door of the address, or access code key for secured entrance buildings. This would also be a good time for you to inspect your property to ensure that the address/door is properly marked.
- Once the Civil Process Deputy receives your Summons, they will attempt service promptly. We will attempt service three times, on three different days, to include a morning(7AM-1100AM) attempt, afternoon(1PM-3PM) attempt, and an evening(after 5PM) attempt. If after the third attempt, we are still unable to personally serve the summons, we will "tack" the summons to the door you have identified. You will be notified no later than the next business day. Again, if we "tack" the summons, you are responsible for the mailing of a copy to the last known address of the defendant. You are not required to do a mailing if personal service of the Summons is successful. After service or tacking of the Summons, you will receive a signed Affidavit of Service by mail. You may also pick up the Affidavit in person. Please call 920-459-4355 prior to coming in so your copy maybe set aside.
- After proper service of the Notice to Vacate and the Summons and Complaint, there is one final step in the eviction process. If you are granted the eviction at the return hearing, you will need to file for a Writ of Restitution. Please return to the previous screen and click on the link titled Writ of Restitution.
- The Sheboygan County Sheriff's Office Civil Process until works Monday-Friday 7AM to 3PM, excluding holidays. The Process Server maybe reached at 920-459-3131, or by email at [joseph.breidung@sheboygancounty.com](mailto:joseph.breidung@sheboygancounty.com).