

## KOOTENAI COUNTY SHERIFF'S OFFICE WRIT REQUIREMENTS

In accordance with Idaho Code and department procedures, the following will be required to process and serve your writ:

- A) The **original** Writ and two (2) copies.
  - B) Letter of instructions, which must be:
    - 1) In writing;
    - 2) Signed by the plaintiff or the attorney;
    - 3) Specifying who is to be served and the last known address, Social Security Number and/or date of birth of the individual(s) to be served; and
    - 4) Bank Writ instructions must include physical and mailing address of the bank located in Kootenai County for service and account number(s) if available. If requested only Banks listed on the Idaho Department of Finance Bank Garnishments site will be served outside Kootenai County to the address listed via certified mail;
    - 5) Garnishments should have the physical and mailing address of the employer located in Kootenai County for service. You may also include the Corporate Payroll address. Wage garnishments are all certified mailed; or
    - 6) Personal Property should include:
      - a) Description(s), model number(s), serial number(s) and/or vin number(s);
      - b) For vehicle(s) a title inquiry(s), UCC Lien search(es) from [www.accessidaho.org](http://www.accessidaho.org) and a **deposit of at least \$2,500.00 (effective 10/1/16) for towing, storage, and costs (call for more information on deposits for other personal property);** and
      - c) Physical location of the property.
- New forms as of 7/1/2017 available at <https://isc.idaho.gov/ircp-new#appendixb> Rule 69.1 (a) – (d).
- C) Notice of Exemption. Rule 69.1(a) (KCSO provides this form to defendant.)
  - D) Instructions for asserting a claim of exemption. Rule 69.1 (b) (KCSO provides this form to defendant.)
  - E) Form for making a claim of exemption. Rule 69.1(c) (KCSO provides this form to defendant.)
  - F) Interrogatories to Garnishee. Rule 69.1 (d) (KCSO provides this form to garnishee.)
  - G) **Postage paid, pre-addressed envelope** for each defendant(s) required to be served. Include **two First Class stamps** on pre-addressed envelope.
  - H) **For Small Claims only** please provide: (Forms for small claims available at [www.courtselfhelp.idaho.gov](http://www.courtselfhelp.idaho.gov) Small Claim Forms for Idaho judgment only)
    - 1) Three (3) copies of the Judgment and
    - 2) Three (3) copies of the Application and Affidavit for Writ of Execution.
  - I) **For a Writ and supporting documents prepared by an attorney** please provide:
    - 1) Three (3) copies of the Judgment (including renewals and notice of filing foreign judgment) and
    - 2) If a continuing garnishment, three (3) copies of the order for continuing garnishment.
    - 3) KCSO uses our own Notice of Garnishment to employers and banks.
    - 4) Notice of Inquiry, no longer being served per Legal Advisor of the Idaho Sheriff's Association as of 3/8/2006.
  - J) **Unless the Kootenai County Sheriff's Office has agreed to bill your office,**
    - 1) Prepayment of \$145.00 (effective 10/1/16) is required for the service and return of a Writ, **THE FEE CANNOT BE ADDED TO THE WRIT AS IT HAS NOT BEEN ACCRUED UNTIL AFTER THE EXECUTION OF THE WRIT AND NO FUNDS ARE RECEIVED.**
    - 2) If it is a Bank Writ, an additional fee of \$5.00 payable to the bank is required by Idaho Code.
    - 3) Certified Mailing costs of \$7.00 (effective 10/1/16) are required, on all wage garnishments unless we specify it won't be mailed to the employer. Banks are served at the local branch by our deputies. Only banks on the Idaho Department of Finance site

Requirements as of 3/15/18.

that have a branch in Kootenai County will be certified mailed outside Kootenai County. We ask you send the following bank garnishments to the Sheriff of the county listed to be served:

- a. Washington Trust Bank has requested all writs be served in Ada County through their Registered Agent CT Corp, 921 S Orchard St., Ste. G, Boise, ID 83705. Kootenai County Sheriff will certify mail—Total charge \$152.00.
- b. Bank of America has requested all writs be served through their Registered Agent CT Corp, 921 S Orchard St., Ste. G, Boise, ID 83705. Kootenai County Sheriff will certify mail—Total charge \$152.00. Ada County will not accept as there are no branches located there.
- c. Potlatch No 1 Federal Credit Union has requested all writs be served in Nez Perce County to the corporate office at 1015 Warner Ave, Lewiston, ID 83501.

**If you have any questions, please feel free to call Kootenai County Sheriff's Office Civil Division at (208) 446-1309.**