

Civil Warrants for “Failure to Appear”
SANTA BARBARA COUNTY SHERIFF’S DEPARTMENT
CRIMINAL RECORDS / CIVIL BUREAU’S

Civil bench warrants are issued by the local court when defendants (debtors) fail to appear in court. When promptly served, they are an effective enforcement tool. Care should be taken to provide the most complete information available to assist the Santa Barbara Sheriff’s Department in completing service.

Information necessary for service includes a current address and description of the person to be served. The Sheriff’s Department has prepared an instruction sheet (attached) that requests this information. It should be completed and given to the court at the time that the warrant is issued. All warrants (with the exception of the local child support agency) must be forwarded to SB Sheriff’s Criminal Records Bureau with a \$120 or \$50 check made payable to the SB Sheriff. After the warrant has been entered

On Civil cases, the Sheriff is prohibited by law to use “Locate” tools based on Driver’s License or Social Security Number.

It takes the Civil Bureau approximately two weeks to attempt service on a warrant. First, a letter is sent, the Bureau waits five days for a reply, then sends a Deputy to make physical contact, often making numerous attempts. Obviously, a correct address is very important.

If the Sheriff determines that the address is not valid, they will clearly mark it “not found – not at this address” and return the paperwork to the requestor. We must immediately update our records so that we don’t recurrently send the Sheriff to the wrong address.

Out of County Warrants (within California)

All warrants must be forwarded to SB Sheriff’s Criminal Records Bureau with a \$120 or \$50 check made payable to the Sheriff in the county where the service will occur. The other county may or may not require this payment due to “Rule 58” (as cited by the Chair of the California State Sheriff’s Civil Committee: “Each of the 58 counties can, and might, interpret a state law differently.”) In the cases where the other county does require this payment, it is on the recommendation of its County Counsel and it would be useless for us to argue the point. If the other county does not require the \$120 or \$50, it will be returned to us void. As with service occurring within Santa Barbara County, care should be taken to provide an accurate address and as much description as possible.

Out of County Warrants (outside of California), Civil warrants issued in California are only valid within the state of California. Don’t bother to issue them if the person lives in another state.

All warrants will be attempted and followed as our workload permits; unless information is obtained that the individual no longer lives or works within this county. Deputies or Jail Personnel that become aware of a civil warrant should ensure that dispatch runs a full display. The full display will contain Court dates and times for cite release. **All civil warrant arrests will be released by Citation with no case number drawn. Send original citation copies to the Civil office in your area.**

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