

Court Order Service and Civil Standbys

Facilitator Guide

Session Overview

Discussion - Types of Orders	20m
Discussion – Examples / Stories	05m
GROUP EXERCISE – Brainstorm: Safety (5/10/10)	25m
Break	10m
Discussion – Service of Orders	10m
Discussion – Civil Standbys	10m
PRACTICAL SCENARIOS	30m
End of Session / Break	10m

Total Session Time: 2 hours

Main Topics of Session:

- *Order Types*
- *Sole Responsibility*
- *Order Service*
- *Civil Standbys*

Learning Objectives:

- Define “sole responsibility” as it applies to court orders.
- Articulate the parameters of conducting a civil standby.
- List the four types of court orders and identify those that require service by law enforcement.

Facilitators Needed: 1(CL)

Location: Classroom

Materials Needed:

- *FG Supp - Court Order Pages from Crim Law Book*

Students Should Already Have:

- *Pocket Press Books*
[THUMB DRIVE]
- *Domestic Violence Student Handbook*
- *Criminal Law Student Resource Guide*
- *HANDOUT - Court Order Comparison Chart*
- *HANDOUT – Sample Return of Service*



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NOTE TO FACILITATOR

Use the following notes in conjunction with the [FG Supp - Court Order Pages from Crim Law Book](#).

Have the students follow along in their Criminal Law Student Resource Guides and DV Student Handbooks, making notes as you lecture and discuss. There is no PowerPoint for this Session.



Types of Orders [20m]

- A. Types of orders
 1. Protection Order (page 160 in Crim Law book dated 07/2014)
 2. No-Contact Order (page 162 in Crim Law book dated 07/2014)
 3. Restraining Order (page 164 in Crim Law book dated 07/2014)
 4. Anti-Harassment Order (page 166 in Crim Law book dated 07/2014)
- B. Which would require service by the police?
 1. Protection Order
 2. Anti-Harassment Order
 3. Restraining Orders (rarely)
- C. Who's responsible to obey the order?
 1. Sole Responsibility (page 167 in Crim Law book dated 07/2014)



Stories/Examples [05m]

- A. Anyone had an opportunity to serve an order?
- B. Tell story (recruit or instructor)



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GROUP EXERCISE - Brainstorm: Safety Considerations When Serving Court Orders

Time: 25 min (5 prep / 10 work / 10 discussion)

Materials: • Easels & Pens

Instructions: Take **10 minutes** and make a list of the safety concerns you must consider when serving court orders.

- A. What are some issues we should think about when severing an order?
 1. Weapons
 2. History
 3. Time of day
 4. Retaliation
 5. Cooperation
 6. Refusal
 7. Potential for violence
 8. Children
 9. Property
- B. Contact / Cover Principals
 1. How many people are at the residence?
 2. Do the respondent and the petitioner live together?
 3. What is the history of the respondent?
 4. Have we check the respondent in WACIC/NCIC or in our records?
 5. Have we read the affidavit?



STUDY MATERIAL - HANDOUT - Court Order Comparison Chart

Instructions: This handout compares and contrasts the various kinds of orders. A similar chart can also be found in the DV Book you were given in Mod 03.



BREAK



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Service of Orders [10m]

- A. What info do we need to know?
 1. Address
 2. Do we have the order in hand?
 3. Is the petitioner calling for assistance with service?
- B. Arrival
 1. A reasonable time to serve the order
 2. Identifying respondent
 3. What the respondent can take with them
 4. Is there a dispute over the property or children being taken
 5. The respondent wants to gather a few things, but does not want you to enter the residence
 6. The respondent refuses to leave
 7. Respondent states they have nowhere to go
 8. Respondent breaks items while packing
 9. Respondent make threats while gather items



Civil Standbys [10m]

- A. What is our purpose at a civil standby?
 1. To ensure the peace / make sure no crimes are committed while one party gathers their belongings
 2. Limit the time on scene to a reasonable period (about 30 minutes)
 3. Make sure the standby is actually written into the order (otherwise, you become a participant in a violation of the order!)
 4. Any property that is disputed stays put. If the person really, really wants it, he/she can go back to court to get another order for it.



NOTE TO FACILITATOR

Use the remaining time (approx. 30 minutes) to run the following practical exercises:

1. Dispatch 2 units to a business with the petitioner on scene wanting the police to serve an order
2. Have 2 units conduct a self-directed order service (order in hand) at a residence (only the respondent lives on location)
3. Have 2 units conduct a self-directed order service (order in hand) at a residence (both the petition and respondent live at the location)
4. Feedback/considerations



BREAK/END OF SESSION

