



# South County Constable Office

## CAPIAS ARREST REQUEST FORM

To request a physical arrest on a capias please submit this form along with your original Capias. Please provide as much of the following information as you are able. Please use the additional information section to provide any other information you believe may be of assistance. If applicable, please provide a photograph of the defendant.

### PLAINTIFF INFORMATION (person who brought the suit, the Judgment Creditor)

NAME		COMPANY (IF APPLICABLE)	
STREET ADDRESS		CITY AND STATE	ZIP CODE
PHONE NUMBER		EMAIL ADDRESS	

### DEFENDANT INFORMATION (PERSON WHOM THE SUIT WAS BROUGHT AGAINST, THE JUDGMENT DEBTOR)

NAME		COMPANY (IF APPLICABLE)		BALANCE OWED	
STREET ADDRESS		CITY AND STATE		ZIP CODE	
PHONE NUMBER		EMAIL ADDRESS			
DATE OF BIRTH	SOCIAL SECURITY NO.	DRIVER'S LICENSE NO.	HEIGHT	WEIGHT	
VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR	VEHICLE COLOR	PLATE NO.	

### ADDITIONAL INFORMATION

Please mail this form along with your original Capias and fee to SCCO, P.O. Box 30, Sturbridge, MA 01566. For questions please call (774) 230-0623.

I hereby authorize this service (Sign). \_\_\_\_\_ Date \_\_\_\_\_

## VOLUNTARY CAPIAS ARREST

\$75.00

**STEP 1:** Within five days of our office receiving a capias from an attorney, the constable will mail a contempt of court notice, specifying the court, the hearing date, and the file number for the particular case. Within five days of this initial mailing, the first attempt at telephone contact will be made. The deputy will contact the defendant by telephone and leave a message communicating the nature of the capias and the importance of showing up to the hearing.

**STEP 2:** If the defendant fails to show up at the first hearing, a new hearing date will be set. A second mailing will be issued, restating the nature of the case, the hearing date, the court and the importance of their appearance. A second phone call will also be placed.

**STEP 3:** If the defendant fails once again to show up at their hearing, a third and final notice will be issued and mailed. They will be informed that it is the third *contempt of court* notice issued. The constable will call a final time and visit the premises if possible. If this final attempt at a voluntary appearance fails, a physical arrest may be required.

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## PHYSICAL ARREST

\$300.00<sup>1</sup>

If attempts at a voluntary arrest fail, or if you believe the defendant will not respond to a request to appear voluntarily, a physical arrest is an option. If you wish to initiate an arrest on a capias, we require a \$300 fee. The original capias is required by the office to initiate a physical arrest. The retainer payment must be made by Attorney check, bank check, or money order. We do not accept personal checks or cash.

The constable will locate the defendant, conduct a background check, and coordinate a date and time with the Attorney/Plaintiff to arrange apprehension and delivery to the appropriate court. We work closely with the Attorney/Plaintiff and do NOT exceed the \$300 fee without your express approval. The majority of capias arrests do not exceed the retainer. The more information that you can provide us makes for a more efficient and less costly apprehension.

**PLEASE NOTE THAT A CAPIAS ONLY GAURENTEES THE APPEARANCE OF THE DEFENDANT.**

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### Any Additional Information:

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<sup>1</sup> A higher fee may be required in cases where greater travel is necessary between the defendant and courthouse.