

# Deputy Sheriffs, Court Bailiffs (Messengers of Court )

## Overview

Deputy sheriffs, court bailiffs and messengers of court are court officers appointed by the registrar of the high court.

Deputy sheriffs are appointed for the high court, whilst court bailiffs are appointed for the magistrate's courts.

### What Are Their Duties?

1. To serve court processes and perform other functions as provided for under the rules of the high court and magistrate courts.
2. Serving writs of summons, provisional summons, petitions, applications and warrant of arrest, etc.
3. Deputy sheriffs are also responsible for enforcing and executing orders of the courts e.g through effecting attachments, advertising sales in execution and executing writs through public auctions of movable and immovable properties.
4. Also responsible for enforcing court orders and warrants for civil imprisonment.
5. They can also through the prescribed process be engaged to serve court processes from foreign jurisdictions.

### Where do I find these Deputy Sheriffs?

1. Are expected to act independently.
2. They act as agents of the court, and not of either party to the judgement.
3. They are by law expected to report and account to the Sheriff for the proper discharge of their functions.
4. Deputy sheriffs are each appointed to specific districts in which to operate. These territorial jurisdiction specific appointments are intended to provide citizens with better access to their services and to ensure fair distribution of work amongst these officers.

### How do I recognize them?

1. Deputy sheriff is given an ID card containing his or her particulars and photo. When executing their duties as an officer of the court, the Deputy sheriffs are expected to display the ID.
2. Court bailiff are appointed and regulated through the Public Service Act. This specific category of employees is mostly predominantly operating in Magistrates Courts throughout the country.

### Are Deputy Sheriffs allowed to prepare summonses for members of the public?

1. Deputy Sheriffs are messengers and officers of the Court. In that

sense they do work for the courts and the public.

2. They are not expected to operate like lawyers. It is not their duty to prepare summonses on behalf of members of the public.

### **Is a deputy sheriff allowed to represent a person in court?**

A deputy sheriff cannot represent a person in court as he is not a lawyer.

### **Are deputy sheriffs debt collectors as well?**

1. Deputy sheriffs are not appointed to operate debt collection companies.
2. Although they collect debts on behalf of judgment creditors they are not debt collectors in the sense of running debt collection business. They are officers of the court who will only collect debts pursuant to a judgment of the court.

### **How do a deputy sheriff/court bailiff recover money owed?**

A deputy sheriff is given instructions by the party who won the case (at times referred to as the Judgment Creditor) to enforce the order of the court made in that party's favour. This could take numerous forms, such as obtaining, removing or selling at auction property of the party who lost the case (also known as the Judgment Debtor).

## **Who is eligible?**

The party who won the case

## **How do I get this service?**

- Deputy Sheriffs are appointed to act within a specific area within a District
- Bailiffs are stationed at all magistrate courts

## **How much does it cost?**

From the Deputy Sheriffs tariffs

## **Where can I obtain this service?**

### **HIGH COURTS AND MAGISTRATES COURTS CONTACTS**

Court of Appeal Private Bag 00316 Gaborone Botswana Tel: (+267) 371 8000	Gaborone High Court P O Box 00220 Gaborone Botswana Tel: (+267) 3718000 Fax: (+267) 3915119	Francistown High Court Private Bag F13 Francistown Botswana Tel: +267 241 2125 Fax. (+267) 2416378
Lobatse High Court Private Bag 001 Lobatse Botswana Tel: +267 5338000 Fax: (+267) 5332317	Regional Magistrate Court-North Private Bag F149 Francistown Botswana Tel: (+267) 2410624	Regional Magistrate Court- South Private Bag BR293 Gaborone Botswana Tel: (+267) 3956339

Gaborone - Village Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Extension II Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Lobatse Private Bag 16 Lobatse Botswana Tel. (+267) 5330540
Kanye Private Bag 17 Kanye Botswana Tel. (+267) 5440276/ 78	Jwaneng Private Bag 10 Jwaneng Botswana Tel. (+267) 5880628	Mochudi Private Bag 029 Mochudi Botswana Tel. (+267) 5777601
Molepolole Private Bag 0022 Molepolole Botswana Tel. (+267) 5920402	Tsabong Private Bag 359 Tsabong Botswana Tel. (+267) 6540277	Gantsi P. O. Box 206 Gantsi Botswana Tel. (+267) 6596352
Maun Private Bag 0271 Maun Botswana Tel. (+267) 6860370	Francistown Private Bag F19 Francistown Botswana Tel. (+267) 2413793	Masunga Private Bag 11 Masunga Botswana Tel. (+267) 2489277
Letlhakane Private Bag 32 Letlhakane Botswana Tel. (+267) 2976666	Selibe Phikwe Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2610321	Serowe Private Bag 14 Serowe Botswana Tel. (+267) 4630386
Palapye Private Bag 15 Palapye Botswana Tel. (+267) 4920401	Mahalapye P. O. Box 22 Mahalapye Botswana Tel. (+267) 4710326	Kasane Private Bag K5 Kasane Botswana Tel. (+267) 6250337
Hukuntsi Private Bag 10 Hukuntsi Botswana Tel. (+267) 6510148	Bobonong Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2629790	Gumare P. O. Box 35 Gumare Botswana Tel. (+267) 6874511

**Where can I get more information on this Service**

The Registrar and Master  
High Court - Gaborone  
Private Bag 00220  
Gaborone  
Botswana

Tel: (+267) 3718000 / (+267) 3971706

Fax: (+267) 3915119

Opening Hours: 07:30 to 12:45 and 13:45 to 16:30, Monday to Friday,  
except public holidays.