

Writ of Retrieval & Civil Standby Research Guide

Overview

This research guide includes information and resources on Writ of Retrieval and Civil Standby. The Writ of Retrieval allows the person to “apply for a writ authorizing the person to enter the residence accompanied by a peace officer to retrieve specific items of personal property.” (*Property Code, Title 4, Ch. 24A.*) A “civil standby” occurs when a peace officer accompanies one party as they attempt to retrieve items from another party. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Abandoned Property, Protective Orders, Writ of Reentry

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Property Code

- Ch. 24A §24A.002. Writ Authorizing Entry and Property Retrieval; Peace Officer to Accompany
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.24A.htm>

Texas Code of Criminal Procedure

- §5.045 Standby Assistance; Liability
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.5.htm#5.045>

Secondary Resources in Print

O'Connor's Texas Causes of Action REF KFT 1733 .026

- Ch. 16 Landlord-Tenant Actions B. Forcible Detainer §6.9 Retrieval of Personal Property

Texas Torts and Remedies REF KFT 1395 .T49

- Vol.1, Ch. 23 §23.12A Exclusion from Premises and Removal of Property

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 18 §282.24 Lockout and Removal of Property

Texas Family Law Practice Manual REF KFT 1294 .T457

- Vol. 3, Ch. 64 Retrieval of Personal Property

CLE Materials

Advanced Real Estate Law Course KFT 1312 .A75

- 2014 Vol. 2, Ch. 29 Forcible Detainers: The New Eviction Rules

Online Resources

Evictions Deskbook (TJCTC)

Ch. 9: Writs of Retrieval, Re-Entry and Restoration

<https://www.tjctc.org/tjctc-resources/Deskbooks.html>

Writ of Retrieval (Tarrant County Justice of the Peace Precinct One)

<https://www.tarrantcounty.com/en/justice-of-the-peace-courts/justice-1/civil-cases/order-of-retrieval.html>

Writ of Retrieval (Tarrant County Justice of the Peace Precinct Two)

<https://www.tarrantcountytexas.gov/en/justice-of-the-peace-courts/justice-2/civil-cases/writ-of->

[retrieval.html?linklocation=Iwantto&linkname=Writ%20of%20Retrieval](#)

Writ of Retrieval (Tarrant County Justice of the Peace Precinct Four)

<https://www.tarrantcountytexas.gov/en/justice-of-the-peace-courts/justice-4/civil-cases/order-of-retrieval.html?linklocation=Iwantto&linkname=Writ%20of%20Retrieval>

Retrieval Order – Application (Tarrant County Justice of the Peace Precinct Five)

<https://www.tarrantcountytexas.gov/content/dam/main/justices-of-the-peace/JP5/forms/RETRIEVAL-ORDER-APPLICATION-2021.pdf>

Writ of Retrieval (Tarrant County Justice of the Peace Precinct Six)

<https://www.tarrantcountytexas.gov/en/justice-of-the-peace-courts/justice-6/civil-cases/writ-of-retrieval.html>

Self-Help Legal Information Packet: When You Have Been Locked Out or Your Landlord Has Cut Off Your Utilities (TJCTC)

<https://www.tarrantcounty.com/content/dam/main/justices-of-the-peace/JP1/new-docs-2020-2021/2021WritOfRetrievalReEntryAndRestorationInformationPacket.pdf>

Getting Your Belongings From Your Former Home (TexasLawHelp)

<https://texaslawhelp.org/article/getting-your-belongings-from-your-former-home>

Personal Property & Landlord's Lien (Texas Tenant Advisor) <https://www.texastenant.org/while-you-are-renting/personal-property-landlords-lien>

Tarrant County Constable Precinct 2 on Civil Standby <https://access.tarrantcounty.com/en/constables/constable-2/operations/civil-stand-by.html>

Tarrant County Constable Precinct 3 on Civil Standby <https://access.tarrantcounty.com/en/constables/constable-3/operations/civil-stand-by.html>

Tarrant County Constable Precinct 6 on Civil Standby <https://www.tarrantcounty.com/en/constables/constable-6/civil-stand-by.html>

Texas Attorney General Opinions
<https://www.texasattorneygeneral.gov/opinions>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)