

INSTRUCTIONS FOR FILING A MOTION FOR CIVIL CONTEMPT/ENFORCEMENT (12/10)

Before proceeding with filing this motion, please carefully read the following information

This form may be used to ask the court enforce a prior court order of final judgment. You must explain what the other party has failed to do. This form must be signed before a notary public and a copy must be furnished to the other party by mail, fax and mail, or hand delivery. If you want to be sure of service, the motion should be personally served by a sheriff or process server. (This is a technical area of the law which may require you to consult with a lawyer)

Please wait at least 3 to 5 days before contacting the **Self-Help Program at (863) 534-5843** for a review of your case. The court specialist will inform you of the process involved in scheduling a court date.

If your case only involves issues pertaining to child support, your motion will be referred to a child support hearing officer for review and scheduling. If your case is heard by the child support hearing officer, the following information applies. A child support enforcement hearing officer is an attorney who has been appointed by administrative order of the court to take testimony and recommend decisions in cases involving the establishment, enforcement, and/or modification of child support, and the enforcement of alimony in conjunction with an ongoing child support arrearage order. You cannot object to the referral of your case to a hearing officer.

At the contempt hearing, you, as the moving party, will have the burden of proving the other party has not obeyed a prior court order. Once non-compliance is established, the other party will have an opportunity to show an inability to comply with the prior court order. If he or she is unable to do so, the judge may find the other party to be in contempt. If so, the judge may order appropriate sanctions to compel compliance by the other party, including jail, payment of attorneys' fees, suit money, or costs, and coercive or compensatory fines, and may order any other relief permitted by law.

YOU SHOULD BE AWARE THAT ANY HEARING SET PURSUANT TO THIS SECTION SHALL REQUIRE AT LEAST A 30-DAY NOTICE TO THE OTHER PARTY