

Oneida Family Court
P O Box 19
Oneida, WI 54155
(920) 496-7200

INSTRUCTIONS FOR FILING A MOTION FOR CONTEMPT

1. Complete and sign the Motion for Contempt. A Motion for Contempt may be filed when a party fails to comply with a court order.
2. Have a copy of the completed and signed motion served on the other parent and any other person having custody of the child(ren) involved.
 - a. Serving a person means delivering the court papers to them in person. Service may be made by any law enforcement officer or other person, not a party, who is at least 18 years of age. **You may not deliver the court papers yourself!**
 - b. The person serving the motion must complete an Affidavit of Service which is included in this packet. The Affidavit of Service must be filed with the Clerk's office along with your original motion.
3. If personal service is not possible, you may mail the motion to those entitled to notice via certified mail with return receipt requested. If you complete service by certified mail, you must file the certified return receipt (green card) showing the date of delivery with the Clerk along with your original motion.
4. If personal service and mail service are not possible, you may ask the Court to permit service by publication.
5. File the original motion form, your proof of service, and pay the \$25.00 filing fee with the Clerk (or request a fee waiver). **PLEASE NOTE: The Court will not accept your motion without the proof of service and the filing fee.**
6. The other parties have 14 days to respond to your motion.
7. A hearing will be scheduled after 14 days have passed from the date of your filing. Most hearings are scheduled within a month of filing.

Any questions, call the Clerk of Court at 920-496-7200.

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ONEIDA FAMILY COURT MOTION FOR CONTEMPT

Enter the original case number.

Case No. _____

Petitioner/Joint Petitioner: _____

First name

Middle name

Last name

Current Mailing Address

City

State

Zip

Daytime Phone Number

vs.

Respondent/Joint Petitioner: _____

First name

Middle name

Last name

Current Mailing Address

City

State

Zip

Daytime Phone Number

Enter the name, address and daytime phone number of the petitioner or joint petitioner from the original case file.

Enter the name, address, and daytime phone number of the respondent or joint petitioner from the original case file.

Check if ONCSA is a party or not. If you are unsure, you may call the Oneida Nation Child Support Agency.

The Oneida Nation Child Support Agency (ONCSA)

- is a party to this action.
 is not a party to this action.

Check all those categories for which you believe the other party is in contempt. If other, mark the box and write for what you believe the other party is in contempt.

If the issues are related to legal custody and physical placement, there are separate forms available that address the modification of legal custody and physical placement and/or enforcement of physical placement.

The person filing this Motion asserts the following:

1. The other party was court ordered to do the following and has failed to do so:

- Pay child support in the amount of \$ _____ per _____.
 Pay maintenance (spousal support) in the amount of \$ _____ per _____.
 Pay uninsured medical bills/variable costs in the amount of \$ _____.

Copies of the unpaid bills are attached to this Motion.

- Return property that was awarded to me.
 Sign/complete final documentation (Quit Claim Deed, QDRO, Real Estate Transfer Return, vehicle titles, etc.)
 Pay debts that he/she was ordered to pay.
 Pay the amount of \$ _____ to equalize the property settlement.
 Allow me to claim the children for tax purposes as ordered.
 Provide medical insurance cards and/or other medical records.
 Pay transportation expenses related to placement in the total amount of \$ _____.
 Follow the legal custody/physical placement/visitation order.

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Other: _____

Enter the date the current court order or judgment was signed by the judge.

Write the facts that support your claim. If you need additional space, mark the box and attach the additional sheets.

2. The Court order that I am asking to be enforced was dated:

3. The facts supporting my reasons for believing that the other party is in contempt are as follows:

See attached.

NOTE: The party being served with this Motion has fourteen (14) days to file an Answer/Response in writing with the Court and the other party OR the party being served has the option to respond in person at the hearing.

Sign and print your name.

Enter the date on which you signed your name.

Signature

Print or Type Name

Date

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AFFIDAVIT OF SERVICE

Case No. _____

Petitioner **v.** _____
Respondent

I, _____, swear that I personally served the Motion
(Name of person serving party)

for Contempt on the following person: _____
(Name of party being served)

DATE: _____

TIME: _____

PLACE: _____

To the best of my knowledge, _____, is present in
(Name of party being served)
the community and is not a member of the armed forces.

I swear the foregoing is true and correct.

Dated this _____ day of _____, 20_____.

(Signature of person serving party)

PLEASE NOTE: Only use this form if you are having the other person personally served. If you are serving the other person by certified mail, simply give the return receipt (green card) to the Clerk of Court.