

MOTION FOR CIVIL CONTEMPT/ENFORCEMENT

NOTICE TO PARTIES WHO ARE NOT REPRESENTED BY AN ATTORNEY WHO IS A MEMBER IN GOOD STANDING OF THE FLORIDA BAR

This checklist is designed to help persons seeking to represent themselves in court without the assistance of an attorney. It is meant to serve as a guide only.

We do not guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedures exactly or accept each and every form drafted. Any person using these instructions and forms does so at his/her own risk.

To obtain Florida approved family law forms visit the Florida Court Self Help website at www.flcourts.org.

Please note that Florida law prevents our staff from providing legal advice.

AFTER all forms are filled out and NOTARIZED take the completed forms to Family Court Case Management, which is located on the 2nd Floor of the Lake County Courthouse. You DO NOT need to schedule an appointment to have your paperwork reviewed.

I. INITIAL FILING

A. Motion

- Motion for Civil Contempt/Enforcement - Form 12.960 (Attach a copy of the Final Judgment)
- Make a copy of the Motion for Civil Contempt and the attached copy of the Final Judgment to be served on the other party
- Civil Cover Sheet - Form 12.928

B. Required forms filed with initial motion

- Notice of Hearing for Contempt
- Make a copy to be served on the other party
- Make a copy for your records
- Notice of Related Cases - Form 12.900(h)

C. Other forms

- Process Service Memorandum - Form 12.910(b) (This form is used to serve the other party the Motion for Contempt and the Notice of Hearing. Certified copies of the Motion for Civil/Enforcement and the Notice of Hearing are required to serve the other party. Process Service is not required; certified mail with return receipt is also a viable option in informing the other party that a Motion for Contempt has been filed.)

Out of County/State Service Information: If the other party resides outside of the county or the State of Florida, the party who filed the motion has two choices.

The first option is to complete and file the Motion for Contempt and Notice of Hearing with the Clerk. You then have the responsibility to forward the certified copy of the Motion for Civil/Enforcement and the Notice of Hearing along with copies of each document to the out of county/state sheriff's office with the appropriate funds for service.

The second option: The party filing needs to contact the sheriff's office in the county which the other party resides in order to find out what is required for out of county/state service. Complete and file the Motion for Contempt and the Notice of Hearing with the Clerk. In addition, give the Clerk the payment required by the out of county/state sheriff and a pre-addressed stamped envelope addressed to the out of county/state sheriff. The Clerk's Office will forward the Motion for Contempt and the Notice of Hearing with the payment to the address provided for the out of county/state sheriff. Most other states will not honor a Florida Affidavit of Indigence.

If proper service is not obtained, the Court cannot hear your case.

II. SETTING A HEARING

- The Clerk will direct you to Family Court Case Management to obtain a hearing date.

III. FINAL HEARING

- Make arrangements for child care if applicable. Children are not allowed to attend without prior Order, per Fla. Fam. L. R. P. 12.403.

The party filing the Contempt is required to attend final hearing.

If you are a person with a disability who needs any accommodation to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at the Office of the Trial Court Administrator, Lake County Courthouse, P.O. Box 7800/550 W. Main Street, Tavares, FL 32778-7800, Telephone (352) - 742-4221, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711 or (352) 742-3890