

# COMPLETING THE ORDER CHILD SUPPORT CONTEMPT

Use this form to provide a proposed order for child support contempt.

You will complete the case information and the court will complete the rest.

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Choose the county from the drop-down list.

Enter the name of the plaintiff.

Enter the name of the defendant.

Enter the case number.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
Choose the court [v] (county where original action was filed)

(name of person listed as plaintiff in original action) Plaintiff, Case No. CI \_\_\_\_\_  
(case number assigned by clerk of court)

vs.

(name of person listed as defendant in original action) Defendant.

**ORDER  
CHILD SUPPORT  
CONTEMPT**

ON \_\_\_\_\_, this matter came on for hearing pursuant to an Order to Show Cause/Contempt Citation which was entered by the court. The court, having fully reviewed the evidence, finds as follows:

1. The plaintiff, \_\_\_\_\_:  
 appeared with/by counsel, \_\_\_\_\_  
 appeared pro se  
 did not appear.

2. The defendant, \_\_\_\_\_:  
 appeared with/by counsel, \_\_\_\_\_  
 appeared pro se  
 did not appear.

3.  \_\_\_\_\_ waives his/her right to court-appointed counsel.  
**OR**  
 \_\_\_\_\_ is represented by \_\_\_\_\_

4.  \_\_\_\_\_ ADMITS to being in willful contempt.  
**OR**  
 \_\_\_\_\_ DENIES being in willful contempt.

5. The Order to Show Cause  was  was not duly served upon \_\_\_\_\_.

**Do Not** enter anything else on this page. The court will complete the rest.

**Do Not** enter anything on these pages. The court will complete the information, date, and sign the form.

6. On \_\_\_\_\_, the court entered an order directing \_\_\_\_\_ to pay:  
(Check boxes that apply.)  
 the sum of \$ \_\_\_\_\_ per month as child support.  
 \_\_\_\_\_ % of childcare expenses;  
 \_\_\_\_\_ % of health care costs over \$ \_\_\_\_\_.

7.  The records of the Nebraska Child Support Payment Center reflect that a current delinquency of \$ \_\_\_\_\_ for child support exists as of \_\_\_\_\_, and that the last payment in the amount of \$ \_\_\_\_\_ was made on \_\_\_\_\_.

8.  There is currently owing on childcare costs the sum of \$ \_\_\_\_\_.

9.  There is currently owing on health care costs the sum of \$ \_\_\_\_\_.

10.  \_\_\_\_\_ is capable of employment and has an earning capacity of \$ \_\_\_\_\_ per hour.  
OR  
 \_\_\_\_\_ is gainfully employed at \_\_\_\_\_ earning the sum of \$ \_\_\_\_\_ per hour.  
OR  
 \_\_\_\_\_ is unemployed.

At the conclusion of the evidence, THE COURT ORDERS as follows:  
A.  \_\_\_\_\_ is found in willful contempt for failing to pay:  
 child support. Judgment is entered against \_\_\_\_\_  
 childcare expenses. Judgment is entered against \_\_\_\_\_  
in the amount of \$ \_\_\_\_\_ for unpaid childcare expenses.  
 health care expenses. Judgment is entered against \_\_\_\_\_  
in the amount of \$ \_\_\_\_\_ for unpaid health care expenses.  
OR  
 \_\_\_\_\_ is not found in willful contempt.

B. \_\_\_\_\_ is hereby sentenced to \_\_\_\_\_ days in the \_\_\_\_\_ County Jail, beginning on \_\_\_\_\_.

C.  \_\_\_\_\_ may purge himself/herself of the contempt on child support by:  
 Paying \$ \_\_\_\_\_ by \_\_\_\_\_,  
 Paying \$ \_\_\_\_\_ on the 1<sup>st</sup> day of \_\_\_\_\_, 20\_\_\_\_, and paying \$ \_\_\_\_\_ on the first day of each subsequent month for a total of \_\_\_\_\_ consecutive months.  
 \_\_\_\_\_ may purge himself/herself of the contempt on childcare expenses by:  
 Paying \$ \_\_\_\_\_ by \_\_\_\_\_,  
 Paying \$ \_\_\_\_\_ on the 1<sup>st</sup> day of \_\_\_\_\_, 20\_\_\_\_, and paying \$ \_\_\_\_\_ on the first day of each subsequent month for a total of \_\_\_\_\_ consecutive months.  
 \_\_\_\_\_ may purge himself/herself of the contempt on health care expenses by:  
 Paying \$ \_\_\_\_\_ by \_\_\_\_\_,  
 Paying \$ \_\_\_\_\_ on the 1<sup>st</sup> day of \_\_\_\_\_, 20\_\_\_\_, and paying \$ \_\_\_\_\_ on the first day of each subsequent month for a total of \_\_\_\_\_ consecutive months.

D.  Execution of the sentence is deferred so long as the purge payments as ordered are timely paid.

E.  If any payments are not paid as ordered, \_\_\_\_\_ is ordered to report immediately to the \_\_\_\_\_ County Jail to serve the above sentence. If he/she fails to report immediately to jail as ordered, the person receiving the child support shall submit an affidavit stating that the child support ordered to be paid under the purge plan has not been paid, and request a bench warrant. A bench warrant or capias shall then be issued for the arrest, and upon arrest, \_\_\_\_\_ shall serve the sentence, unless purge payments are paid current.

F. All purge amounts for child support are to be paid to the  
Nebraska Child Support Payment Center,  
PO Box 82600, Lincoln NE 68501-2600.  
The Nebraska Child Support Payment Center is ordered to distribute monies received in this case in accordance with the purge plan. The clerk of the

\_\_\_\_ County District Court shall accept payment on behalf of \_\_\_\_\_ in order to facilitate his/her release from custody under the terms of this order.

G. All purge amounts for childcare expenses and health-care expenses shall be paid to the Clerk of the District Court of \_\_\_\_\_ County, Nebraska.

H.  \_\_\_\_\_ is ordered to comply with automatic wage withholding.

I.  \_\_\_\_\_ is to pay the costs of this action in the amount of \$ \_\_\_\_\_ to the Clerk of the District Court by \_\_\_\_\_.

Dated: \_\_\_\_\_.

BY THE COURT:  
  
\_\_\_\_\_  
Judge