

INSTRUCTIONS FOR COMPLETING THE AFFIDAVIT AND MOTION FOR BENCH WARRANT AND COMMITMENT TO ISSUE (Enforcement of Order for Visitation)

If you are printing the Motion and handwriting the answers, you will check the first box. If you are typing in your answers, you will check the second box.

- Printing the form and handwriting the answers.
- Completing the form electronically.

HEADING

The heading on this pleading should be the same as the heading in the original action for divorce, legal separation, paternity, or child support. The case number will also be the same.

- a. Choose the county in the drop down box below the first blank.
- b. Enter the name of the plaintiff exactly as on the original.
- c. Enter the name of the defendant exactly as on the original.
- d. The clerk of the district court assigned a case number when the original action was filed. You must include that case number on any papers you file.

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
(county where original action was filed) Choose the county

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

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

AFFIDAVIT AND MOTION FOR BENCH WARRANT AND COMMITMENT TO ISSUE

BODY OF AFFIDAVIT AND MOTION FOR BENCH WARRANT

This paragraph does not have a number.

- A. Enter your name.
- B. Enter the name of the person who was ordered to allow visitation.

COMES NOW _____, without
(your name)

_____ for the following reason:
(name of person ordered to allow visitation)

The numbers below give instructions for completing the paragraphs with the same numbers in the Affidavit and Application for Order to Show Cause:

Paragraph 1.

- a) In the first blank, enter the name of the county where the original divorce, legal separation, paternity, or other child support action was filed.

1. That the District Court of _____ County entered an order on _____
(county where original action was filed)

- b) In the second blank, enter the date the judge signed the order finding the party in contempt.
- c) In the third blank, enter the name of the person ordered to allow visitation.

_____, finding _____ in _____
(date of order finding contempt) (name of person ordered to allow visitation)

- d) In the fourth blank, enter the name of the person ordered to allow visitation.
- e) In the fifth blank, fill in the number of days the person was sentenced in the contempt order.

The court sentenced _____ to _____ days in jail.
(name of person ordered to allow visitation) (number of days of sentence)

Paragraph 2.

- f) Enter the name of the person ordered to allow visitation.
- g) In the second (large) blank, enter the visitation that the court ordered in its contempt/purge order. This is the prior order that the judge filled out after the contempt hearing, allowing the noncustodial parent visitation, and ordering a sentence with purge plan.

2. That the district court allowed _____ the _____
(name of person ordered to allow visitation)

_____ opportunity to purge his/her contempt by:

Paragraph 3.

- h) In the first blank, enter the name of the person ordered to allow visitation.

3. _____ has failed to allow the visitation
(name of person ordered to allow visitation)

CLOSING PARAGRAPH (Beginning with "WHEREFORE")

- i) In the first blank, enter the name of the person ordered to allow visitation.

WHEREFORE, Affiant respectfully requests the court issue a Warrant for the arrest of the above-named _____.
(name of person ordered to allow visitation)

FINAL SIGNATURE

a. DO NOT SIGN THE AFFIDAVIT AND MOTION UNTIL YOU ARE BEFORE A NOTARY PUBLIC.

- b. Enter the date.
- c. Print your name.
- d. Enter your full street address.
- e. Enter your city, state, and ZIP code.
- f. Enter your telephone number, including the area code.
- g. Enter your email address, if any.

Signature: _____ Date: _____

Printed Name: _____

Street Address/P.O. Box: _____

City/State/ZIP Code: _____

Telephone Number: _____

Email address: _____

Notary Section will be completed by a Notary Public.

This form must be signed and sworn to in the presence of a notary public. You must bring a photo identification for the notary to verify your identity.