

# INSTRUCTIONS FOR COMPLETING THE AFFIDAVIT AND APPLICATION FOR ORDER TO SHOW CAUSE (Alimony/Property Settlement)

If you are printing the Application 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 case. The case number will also be the same.

- Enter the name of the county where the original case was filed.
- Enter the name of the plaintiff exactly as listed in the original case.
- Enter the name of the defendant exactly as listed in the original case.
- The clerk of the district court assigned a number when the original case was filed. You must include that case number on any papers you file, including this action for contempt.

IN THE  DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
Choose the county | county where original action filed

\_\_\_\_\_  
(name of person listed as plaintiff in original action)  
Plaintiff,

vs.

\_\_\_\_\_  
(name of person listed as defendant in original action)

Case No. CI  \_\_\_\_\_  
(case number assigned by clerk of court)

## BODY OF AFFIDAVIT AND APPLICATION

- In the first blank, enter your name.
- In the second blank, enter the name of the other party.
- Check the box in front of “alimony” or “comply with a property agreement” to show what you are asking the court to enforce. This paragraph does not have a number.

I \_\_\_\_\_, without assistance of an attorney,  
(your name)

ask this court for an order requiring \_\_\_\_\_ to  
(name of person ordered to pay alimony or comply with property settlement)

show cause why he/she should not be held in contempt for failing to (check all that apply):  
 pay alimony     comply with the property settlement as ordered.

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. Enter the date the judge signed the order for alimony or a property settlement.  
B. Enter the name of the person ordered to pay or comply.

1. On \_\_\_\_\_, an order was entered requiring  
(date judge signed order)

\_\_\_\_\_ to (check all that apply):  
(name of person ordered to pay alimony or comply with property settlement)

C. To complete this paragraph, you must check only the boxes that apply:

- a. If you are trying to enforce an order for alimony, you must check the first box.
  - i. Enter the amount of alimony that was ordered to be paid each month.
  - ii. Enter the date the first alimony payment was to be made.
- b. If you are trying to enforce an order for property settlement, check the second box and explain how the other party is not following the court's order.

a. pay alimony of  per month beginning .  
(amount of monthly alimony ordered) (date alimony ordered to begin)

b. comply with the property settlement terms. The other party has not followed the order in the following ways:

Paragraph 3. You must check the box to show the order you are trying to enforce. Only fill in the blanks for the boxes you checked.

A. Alimony

- a. Enter the name of the person ordered to pay alimony.
- b. Enter the date you used when you figured how much alimony is past due.
  - i. IF there is also child support involved in the order, you will get this date from the Nebraska Child Support Payment Center.
  - ii. IF there is no child support involved in the order, you will get this date from the clerk of the district court.
- c. Enter the name of the person ordered to pay alimony.
- d. Enter the amount of alimony that is past due.
  - i. IF there is also child support involved in the order, you will get this date from the Nebraska Child Support Payment Center.
  - ii. IF there is no child support involved in the order, you will get this date from the clerk of the district court.

3. Check all that apply:

A.  a. \_\_\_\_\_ is more than \_\_\_\_\_  
(name of person ordered to pay alimony) (date alimony is past due)

one month behind in the payment of alimony. As of \_\_\_\_\_  
(date alimony is past due)

c. \_\_\_\_\_ owes a total of \_\_\_\_\_ in alimony.  
(name of person ordered to pay alimony) (amount of support owed)

B. Property Settlement

- a. Enter the name of the person ordered to comply with the property settlement.

B.  \_\_\_\_\_ has not complied  
(name of person ordered to comply with a property settlement)

with the property settlement terms defined in the order.

Paragraph 4. a. Enter the name of the person ordered to pay alimony or comply with the property settlement.

4.  a. \_\_\_\_\_ 's failure to pay or con  
(name of person ordered to pay alimony or comply with property settlement)

### CLOSING PARAGRAPH (Beginning with "WHEREFORE")

- a. Enter the name of the other party.
- b. Check the box in front of either "pay alimony" or "comply with the property settlement" to show what you are asking the court to enforce.
- c. Check the box in front of the last statement, and enter the name of the other party if you are asking the court to order the other party to pay the expenses from this case for enforcement.

WHEREFORE, I request the court issue an order directing

a. \_\_\_\_\_ to appear before this court on a specific day  
(name of person ordered to pay alimony or comply with property settlement)

and at a specific time to show cause why he/she should not be held in contempt for failing to  
(check all that apply):

b.  pay alimony  comply with the property settlement ordered by the court.  
 c.  I further request that \_\_\_\_\_ be ordered to  
(name of person ordered to pay alimony or comply with property settlement)

pay the expenses of this action and for any further relief that may be just.

### FINAL SIGNATURE

**a. DO NOT SIGN THE AFFIDAVIT AND APPLICATION 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.

a. \_\_\_\_\_  b. \_\_\_\_\_ Date \_\_\_\_\_  
Signature  
 c. \_\_\_\_\_  d. \_\_\_\_\_  
Name Street Address/P.O. Box  
 f. \_\_\_\_\_  e. \_\_\_\_\_  
Phone City/State/ZIP Code  
 g. \_\_\_\_\_  
E-mail Address

## EMAIL COMMUNICATION FROM THE COURT

a. Read the statement below the signature block carefully. If you want to receive email communication from the court about this case, check the box. Some things will still be sent to you by mail or served by a sheriff, constable, or process server if there is a law or Nebraska Supreme Court Rule that requires a certain type of notification.

NOTE: if you don't want to get emails about this case any longer, you must complete the Change of Contact Information Form (DC 3:02) found on the Supreme Court Website.

By checking this box, I am asking to receive only email communications from the court for this case. I understand I will not receive mailed documents and notices except for those that require specific service as directed by statute or Nebraska Supreme Court Rule. If I no longer want to receive email communication or my email or other contact information changes, I must complete a [Change of Contact Information Form \(DC 3:02\)](#). [Neb. Ct. Rule § 6-403\(E\)](#).

**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.***