COMPLETING THE ORDER OF CONTEMPT (ALIMONY)

Use this form to provide the court with a proposed Order to be used in the case for contempt.

When you go to your hearing, you may ask to approach the judge to give the judge the proposed Order of Contempt (Alimony).

Choose the county from the drop-down list.

Enter the name of the plaintiff.

Enter the name of the defendant.

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

Enter the case number.

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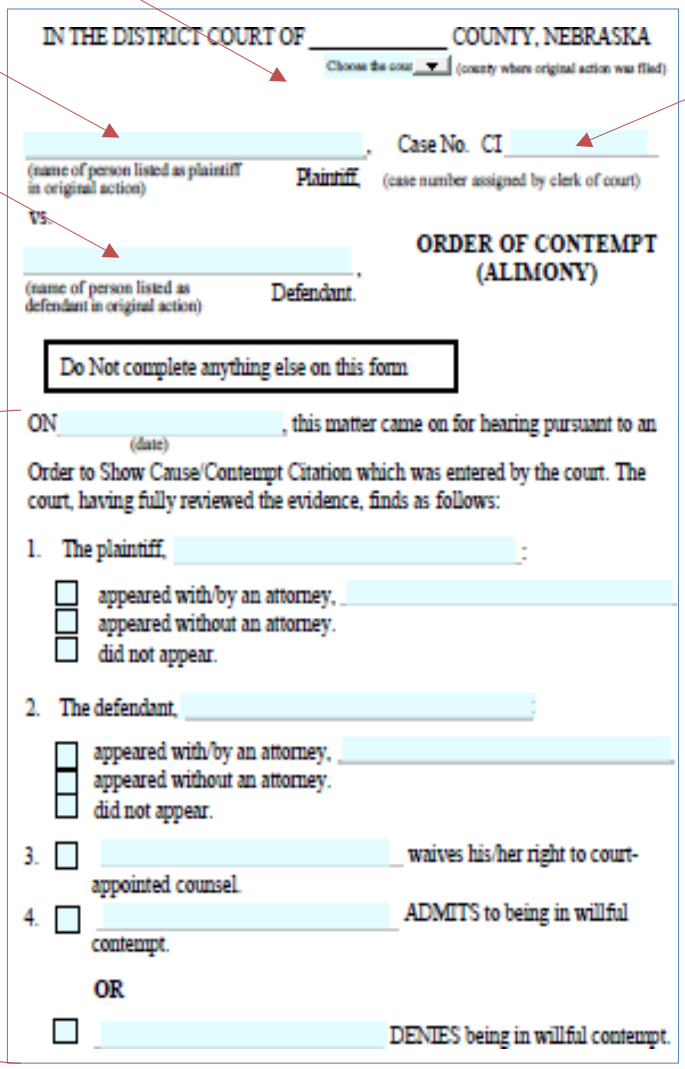

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA

Choose the county (county where original action was filed)

_____, Plaintiff, Case No. CI _____

(name of person listed as plaintiff in original action) (case number assigned by clerk of court)

vs.

ORDER OF CONTEMPT (ALIMONY)

_____, Defendant.

(name of person listed as defendant in original action)

Do Not complete anything else on this form

ON _____ (date), 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 an attorney, _____
   - ☐ appeared without an attorney.
   - ☐ did not appear.
2. The defendant, _____:
   - ☐ appeared with/by an attorney, _____
   - ☐ appeared without an attorney.
   - ☐ did not appear.
3. ☐ _____ waives his/her right to court-appointed counsel.
4. ☐ _____ ADMITS to being in willful contempt.

   OR

   ☐ _____ DENIES being in willful contempt.

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5. The Order to Show Cause ☐ was ☐ was not duly served upon _____.

6. On _____, the court entered an order directing _____ to pay: the sum of $_____ per month as alimony;

7. The evidence reflects that a current delinquency of $_____ for alimony exists as of _____ and that the last payment in the amount of $_____ was made on _____.

8. ☐ _____ 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 alimony.

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 by:

☐ Paying $_____ to _____ by _____.

☐ Paying $_____ to _____ on the 1st day of _____, 20____, and paying $_____ to _____ 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 _____ fails to report immediately to jail as ordered, _____ shall submit an affidavit stating that the alimony 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 alimony are to be paid to

☐ If the original Order that included alimony also included child support, payments will be made to **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.

☐ If the original Order that included alimony did NOT include child support, payment will be made to the clerk of the _____ County District Court.

G. ☐ _____ 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

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