

## 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).

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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.

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

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

\_\_\_\_\_, 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.

**ORDER OF CONTEMPT  
(ALIMONY)**

**Do Not complete anything else on this form**

ON \_\_\_\_\_, this matter came on for hearing pursuant to an  
(date)  
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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**Do Not** enter anything on these pages. The court will complete the information, sign, and date the order.

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 1<sup>st</sup> 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