

CONTEMPT PACKET FAMILY LAW CASES

ORDER FINALIZED ONE MONTH OR LESS	\$0	SHERIFF SERVICE
ALIMONY OR CHILD SUPPORT	\$50	SHERIFF SERVICE
ALL OTHERS	\$264	FILING FEE & SERVICE

Contempt of court is a ruling by a judge that a person is intentionally failing to obey a judge's order. A person who is cited for contempt may be punished by a fine or a jail sentence until he or she obeys the court order. In many cases, the person who disobeyed the court order will be required to pay the Plaintiff's costs and attorney's fees.

You may use this packet if any of the following is true:

- You have not received child support order; or
- You have not been allowed to visit with your child(ren) as ordered; or
- The other party has not turned over property as ordered; or
- The other party has not obtained health insurance or paid you back for medical expenses as ordered; or
- The other party has not performed other acts as ordered.

If any of the following statements are true, strongly encourage to seek the advice of an attorney:

- **The contempt involves custody or visitation and the other party no longer lives in Georgia; or**
- **I cannot find other party;**
- **The court order I want to enforce was made by the judge in another state.**

IF THERE ARE ANY QUESTION(S) in your mind concerning these forms, the use of these forms, or your legal rights, it is strongly recommended that the service of an attorney be obtained. If you do not know an attorney, you may find one by searching http://www.gabar.org/directories/member_directory_search

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in these packets may become outdated. Therefore, you should review and research statues and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

IN NO EVENT will the Office of the Court Administrator, Clerk of Superior Court, the Law Librarian or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any indirect or consequential damaged resulting from the use of this packet.

USE THESE FORMS AT YOUR OWN RISK. THESE FORMS MAY OR MAY NOT BE APPROPRIATE IN YOUR PARTICULAR CASE. ANY DESIRED OUTCOME FROM THE USE OF THESE FORMS CANNOT BE PREDICTED OR GUARANTEED. IT IS STRONGLY RECOMMENDED THAT YOU SEEK LEGAL ADVICE.

IF YOU CHOOSE TO USE THIS PACKET, BE SURE TO FOLLOW THE INSTRUCTIONS THAT WE HAVE PROVIDED.

**IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA**

Plaintiff

v.

Civil Action File No. _____

Defendant

CONTEMPT REQUEST LETTER FOR RULE NISI

I, _____, request that my Petition for Contempt
(Plaintiff Name)

be submitted to the judge's chambers for review and that a hearing be scheduled.

This _____ day of _____, 20_____.

Petitioner/Plaintiff

**IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA**

Petitioner

VS

Civil Action No. _____

Respondent

PETITION FOR CONTEMPT

NOW COMES _____ (your full name), Petitioner in the above-styled action, and files this Petition for Citation of Contempt and shows the Court as follows:

1.

An Order was entered in the Superior Court of _____ County, Georgia as follows: Civil Action File Number _____
[Copy the letters and numbers from that case]

The Case Name _____
[Copy the full case name of the previous case. For example, Jill Smith v. Jim Jones]

The date the Order was filed in the Court _____
A copy of that Order is attached.

2.

(Choose only one: box a, b, or c)

a) The Respondent is subject to the jurisdiction of this Court (meaning that Respondent lives in Georgia or can be personally served in Georgia) and may be personally served with a copy of this Petition at the following address:

b) The Respondent is not a resident of the county where the previous order was made. Respondent lives in _____ County, Georgia and will be served with a copy of this Petition by second original.

- c) The Respondent is subject to the jurisdiction of this Court pursuant to the Georgia Domestic Relations Long Arm Statute and may be personally served with a copy of this Petition by second original at the following address:

(Use this paragraph when Respondent is a non-resident of Georgia and you seek a contempt action for failure to pay child support/alimony, to obtain health/life insurance coverage, to pay medical expenses, to turn over property, or to pay other expenses).

3.
(Check all that apply)

In the previous Order, Respondent was ordered:

- a) To pay the Petitioner the amount of \$_____ per Week/bi-weekly/semi-monthly/monthly) in child support, and Respondent owes \$_____ to Petitioner as of the date of this Petition.
- b) To allow Petitioner to visit with the minor children, but has refused.
- c) To give to Petitioner the following possessions but has refused:

- d) To pay for and have medical insurance for the minor child(ren)
- e) To pay me back for medical bills, in the amount of \$_____
- f) Other _____

4.

- Respondent was able to do what the Court ordered. Respondent's failure to obey the Court order is willful.

5.

- Respondent should be held in contempt of this Court's Order and fined and/or confined to jail until he/she purges him/herself of this contempt.

6.

Respondent should be ordered to reimburse Petitioner for costs incurred in this action.

THEREFORE, the Petitioner requests:

- (a) That process and summons issue as provided by law;
- (b) That Respondent be served with a copy of Petitioner's Petition for Citation of Contempt;
- (c) That Respondent be held in contempt for failure to obey the terms of the Court's Order;
- (d) That a Rule Nisi hearing be set ordering Respondent to come to Court and tell the Judge why Petitioner's Petition should not be granted;
- (e) That Respondent be ordered to reimburse Petitioner for the cost of this action;
- (f) Other: _____

- (g) That Petitioner be awarded any other relief this Court finds right and proper.

This _____ day of _____, 20____.

Respectfully submitted,

Plaintiff, Pro Se (Signature)

(Print or Type)

Petitioner's Name: _____

Petitioner's Address: _____

Telephone Number(s): _____

STATE OF GEORGIA

COUNTY OF BIBB

VERIFICATION

Personally appeared before the undersigned officer authorized by law to administer oaths, the deponent herein, who, an oath, deposes and says that the facts contained in the foregoing document are true and correct.

PLAINTIFF

Sworn to and subscribed before me

this ____ day of _____, 20_____.

Notary Public

AFFIDAVIT FOR PERSON FILING CASE WITH NO ATTORNEY
(All questions must be answered.)

Plaintiff

vs.

Civil Action No. _____

Defendant

PERSONALLY appeared before me the undersigned officer, _____
(Affiant)

who after being duly sworn deposes and states under oath the following:

- (1) That affiant has this date filed a suit for divorce or other complaint in this County and does not have an attorney at law representing affiant.
- (2) (a) Affiant further states that the following person prepared the Complaint and/or other papers.

Name of Person (and business name) who prepared papers

Address of such person and business

Telephone number of such person and business

- (b) Affiant state that said person who prepared the paper (was/was not) paid to prepare the papers. The total amount paid \$ _____.
- (3) Affiant further states that there (is/is not) any further money due anyone for assisting in the preparation of said papers. If affiant owes money to the preparer the amount is \$ _____.
- (4) Affiant has not paid or given anyone any other consideration of money for helping in preparing the paper, except the following, _____.
- (5) Did the preparer of the papers tell you what information, or give you advice regarding the information to put in any of your paper? (YES / NO)
- (6) Did the preparer give you any advice about how to file your papers? (YES / NO)
- (7) Did the preparer give you any advice about how to present your case to the judge? (YES / NO)
- (8) Are you willing to discuss this matter with a State Bar or Georgia investigator? (YES / NO)

I have answered all the about questions truthfully, under criminal penalties of perjury.

Sworn to and subscribed before me
this _____ day of _____, 20____.

Affiant

Address

Notary Public
My Commission Expires _____

City State Zip

Phone No. (required): _____

SUPERIOR COURT OF BIBB COUNTY
PARTIES INFORMATION SHEET
TO BE FILED WITH COMPLAINT/PETITION

Plaintiff's Contact Information:

Plaintiff's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

Defendant's Contact Information:

Defendant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

CIVIL ACTION
NUMBER _____

PLAINTIFF

VS.

DEFENDANT

SUMMONS

TO THE ABOVE NAME DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney whose name and address is:

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____

Clerk of Superior Court

BY _____
Deputy Clerk

SHERIFF'S ENTRY OF SERVICE

Civil Action No. _____

Superior Court Magistrate Court
State Court Probate Court
Juvenile Court

Date Filed _____

Georgia, _____ COUNTY

Attorney's Address

Name and Address of Party to Served

Plaintiff

VS.

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant _____ personally with a copy of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place abode in this County.

Delivered same into hands of _____ described as follows: age, about _____ years; weight _____ pounds; height _____ feet and _____ inches, domiciled at the residence of defendant.

CORPORATION

Served the defendant _____ a corporation by leaving a copy of the within action and summons with _____ In charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This _____ day of _____, 20____.

DEPUTY

BIBB COUNTY, GEORGIA

General Civil and Domestic Relations Case Filing Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Filed _____ Case Number _____
MM-DD-YYYY

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney _____ Bar Number _____ Self-Represented

Check One Case Type in One Box

General Civil Cases

- Automobile Tort
- Civil Appeal
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

Domestic Relations Cases

- Adoption
- Dissolution/Divorce/Separate Maintenance
- Family Violence Petition
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

Post-Judgment – Check One Case Type

- Contempt
 - Non-payment of child support, medical support, or alimony
- Modification
- Other/Administrative

Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

_____ Case Number _____ Case Number

I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

Do you or your client need any disability accommodations? If so, please describe the accommodation request.

ATTACHMENTS

Parenting Plan

Child Support Order Addendum

Case Disposition Form & 3907 Form

Other _____

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____ Case Number _____
MM-DD-YYYY

Case Style _____

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Defendant's Attorney _____

Bar Number _____

Self-Represented

Manner of Disposition
Check Only One

Jury Trial

Bench/Non-Jury Trial

Non-Trial Disposition

Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

eFile and Serve Registration & Quick Tips

(PLEASE PRINT CLEARLY)

- Email: _____
 - Address: _____

 - Phone #: _____
 - Security Question? EX: What high school did you attend?
Q _____
A _____
 - Password: Abcd1234
 - Click on link sent to your email to activate your account.
 - Login to www.efilega.com from Kiosk or phone and change your password under manage security.
 - Scan documents
 - File your case
 - Tutorials and user guides are available online. To learn more, visit www.efilega.com
-

Case / Envelope #: _____

Cases filed with an agreement: File your Request Letter 46 days after filed date:

Cases filed with Sheriff Service: File your Request Letter 46 days after defendant has been served. You will receive notification once the defendant has been served with the email that you have on file.

Divorce by Publication: File Request Letter 60 days after 1st day of Publication; Publisher's Affidavit must be on file.

Adult Name Change: Take filed stamp Notice of Name Change to The Telegraph, File Request Letter 46 days after filing date, Publisher's Affidavit must be on file.

Minor Name Change: File Request Letter 46 days after filing date, , Publisher's Affidavit must be on file.

YOU MUST NOTIFY THE CLERK'S OFFICE OF ANY ADDRESS CHANGES OR TO UPDATE YOUR EMAIL ADDRESS BY FILING A NOTICE TO CHANGE ADDRESS.

Clerk Assisted: _____