

# ENFORCING THE COURT'S ORDER WHAT TO DO WHEN THE OTHER SIDE IS NOT FOLLOWING THE COURT'S ORDER

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If other party in the case is not complying with a court order [about child support, for example], you can ask the court to help you. Here's how to do it.

- **FILL IN** the Motion to Enforce with the names and case number just like it appears on the court's order. Explain the problem in the blank space. Remember to include details, such as dates and times. And remember your signature must be "notarized." There are many Notary Publics in the courthouse.
- **FILE** the Motion to Enforce with the Clerk of the Court [located on the first floor in the center of the building] and ask for two (2) endorsed copies. The Clerk will tell you which judge is assigned to your case.

Take one (1) endorsed copy of the Motion to Enforce to the assigned Family Court Judge and ask the Judge's Secretary for a HEARING on your motion.

The Secretary will set a DATE and TIME for a HEARING and issue a Notice of Hearing.

- **FILE** the Notice of Hearing with the Clerk of the Court and ask for two (2) endorsed copies. Keep one copy for yourself.
- **SERVE** the other person the following papers:
  1. The endorsed Motion to Enforce;
  2. The endorsed Notice of Hearing.

"Serve" means delivering the Motion to Enforce and Notice of Hearing to the other party; service can be in person or by mail. Anyone over the age of 18 who is not a party to the lawsuit can serve. However, **YOU -- the party -- CANNOT SERVE** the papers yourself.

Service is **VERY** important. Our law requires that the other person be given notice of the motion and a chance to appear and defend against it.

- **ATTEND** the hearing at the date and time set and bring evidence, such as witnesses or documents, and be prepared to prove your claim in court. Let the court know if you need an Interpreter.

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**THE HELP DESK HAS A FORM TO HELP YOU:**

**Motion to Enforce Packet**