How to Ask for a **Contempt Order**



May 2025

Do you have a legal problem?
Call our hotline:

Statewide Legal Services
1-800-559-1565

What if the other parent doesn't obey a court order?

This pamphlet explains what to do if the other parent has disobeyed a court order that involves you, including orders of

- custody,
- child support,
- visitation,
- medical bills, or
- health insurance.

If the other parent doesn't obey a court order, you can file a form with the court called a *Motion for Contempt*. This form asks the court to hold a hearing where the other parent will have to explain why they aren't following the court order(s). A parent who violates a court order can be found in *contempt*, and the judge can order that parent to obey the order or impose other penalties.

What if the court order was made in another state?

If the court order wasn't made in Connecticut and you have very low income, call Statewide Legal Services at 860-344-0380 (Central CT) or 1-800-453-3320 (all other areas). Statewide Legal Services may be able to help you file paperwork to allow the court in Connecticut to hear your concerns. This pamphlet may not help you at this time.

Do I need a lawyer to ask for a contempt order?

You don't need an attorney to file a *Motion for Contempt*, but it's a good idea to have one. If you decide to represent yourself, you can go to the courthouse that made the order and ask for help at the Court Service Center. Court staff can answer questions about forms and help you understand the process, but they cannot give you legal advice.

If your problem is with child support, you can get help from Support Enforcement Services (also called SES). The child support hotline number in Connecticut is 1-800-228-5437.

Can I get help without going in front of a judge?

Yes. After you file the Motion for Contempt, you will be given a court date. At that court date, you can go to the Family Services office. They may have services that can help you and the other parent solve the problem without the need for a hearing in front of a judge. If Family Services can't help you, follow the steps below.

Note: In some courts, Family Services is called Family Relations.

How do I ask for a contempt order?

If the court order was made in Connecticut, you can file a *Motion for Contempt* in the court that made the order. Follow the steps below.

Important: Some courts may have different rules. Check with the court clerk or Court Service Center to make sure you are following the rules.

Step 1: Fill out the court forms.

Fill out the following two court forms. You can get them online at www.jud.ct.gov or at the court clerk's office.

Appearance (JD-CL-12)
Fill out an Appearance form if you don't have a lawyer or if your address has changed so the court knows where to mail you court notices.

Motion for Contempt (#JD-FM-173)
This form tells the court which orders you think the other parent disobeyed. Fill out the top of the form. If you don't know the docket number or other court information, the clerk can tell you.

► Don't write anything below the line that says "Order to Attend Hearing and Notice." The clerk will fill out the rest of the form.

Step 2: File the court forms with the clerk

Go to the clerk's office at the court that made the orders. Give the clerk your completed Motion for Contempt and Appearance forms. The clerk will write a hearing date and time on the motion, sign it, and give it back to you. The hearing date is when you and the other person must go to court. The clerk may tell you that you will have an online (or virtual) hearing. Please follow the instructions of the clerk.

Make 3 copies of your *Motion for Contempt*. Most courthouses have copy machines that you can use. You will need

- one copy for the other parent,
- one copy for the marshal to fill out for the court, and
- one copy for your own records.

The originals will need to be returned to the court (more information about that below).

Do I have to pay to file the forms?

There is no fee to file a *Motion for Contempt*.

If the other party disobeyed an order from a case that has gone to final judgment (check with the clerk's office if you are unsure), you'll need to have a marshal serve the papers on (in other words, give them to) the other person. The marshal's fee is usually $50 to $75. You can discuss the fees with the marshal.

If you can't afford the marshal's fee, fill out an *Application for Waiver of Fees* (JD-FM-75). If the judge grants your request, you won't have to pay the marshal's fee for this *Motion for Contempt*. You should bring the granted Fee Waiver application to the marshal along with the rest of your paperwork.

Step 3: Tell the other parent about the court case.

If the order is from a case that is open now (*Pendente Lite*, or *pending*), you don't need to have a marshal serve the papers. You can mail a copy of the *Motion for Contempt* through regular U.S. mail. It is also a good idea to also send it by certified mail with delivery confirmation.

If the order is from a case that has gone to *final judgment*, you will need to have a marshal serve the other person with a copy of the motion. You can find a list of state marshals online at www.CTLaw.help/marshals. You will also need to give the marshal these papers:

- A completed marshal's letter (see the sample letter at the end of this pamphlet) that explains where to find the other party so they can be served.
- The original *Motion for Contempt* with the court hearing date.
- One copy of the *Motion for Contempt* to be given to the other party.
- The original *Fee Waiver Application* (if you asked the court for one and it was granted).

Is there a deadline to notify the other person?

The other party must be mailed a copy of the motion or served by a marshal at least 12 days before the date of the hearing. Proof of mailing or delivery must be made to the court at least 6 days before the hearing.

Step 4: Return the original papers to the clerk.

Once the *Motion* has been delivered to the other party, the original papers must be returned to the clerk's office along with proof that they were delivered. If the judge granted you a fee waiver, you must return the granted *Fee Waiver* application with the motion.

If you mailed the papers, you will need to fill out the Certification section of the motion and return it to the clerk.

If a marshal delivered the papers, the marshal will need to complete the *Return of Service* section of the motion (or the marshal may type up their own *Return of Service*). Ask the marshal if theyhe or she will return your motion after service is complete, or if you will need to return them it to the court yourself.

Step 5: Go to your court hearing.

Don't be late! Try to arrive about 30 minutes early so you have time to go through security and find the right courtroom. If you have witnesses, they must arrive at the same time.

Once you arrive, go to the clerk's office and ask where your case will be heard.

You will usually meet with *Family Services* (also sometimes called *Family Relations*) in their office inside the courthouse before you go into the courtroom. A Family Relations Counselor can help you work out an agreement and put it in writing.

If your case has already been decided by a judge, you will usually be assigned a Resolution Plan Date. You can find out more about the Resolution Plan Date at www.CTLaw.help/rpd.

Do I have to accept the Family Relations Counselor's recommendations?

You don't have to accept the recommendations. If there is no agreement, you have the right to present your case to the judge and let the judge decide. Keep in mind that judge may or may not agree with you. You must obey the judge's orders even if you disagree with them.

What happens when I am in the courtroom before the judge?

When your name is called, say either, "Ready" or "Ready with an agreement," depending on your situation. You will then stand at one of the tables in front of the judge's bench. Follow the judge's instructions, and do not approach the judge's bench or witness stand unless the judge tells you.

- The clerk will have you swear to tell the truth.
- As the person who filed the *Motion for Contempt*, **you will have to prove**:

  1) That there is a valid court order.

  2) That the other party violated or disobeyed the order. Be prepared to say exactly how you think the order was disobeyed. Bring proof if you have any.

  3) That the other parent *violated* (or disobeyed) the court order on purpose.
- The judge may ask you questions. If you don't understand something, tell the judge.

When you finish, the other person will have a chance to speak. They may want to ask you questions, too.

You will then have a chance to ask questions of the other party and any witnesses.

When will the judge decide my case?

The judge may decide the case at the end of the hearing and announce the orders while you are still there.

The judge may also decide to take more time to make a decision. (You may hear the judge say, "I'll take the papers.") Don't be concerned – this just means the judge wants more time to think about the case. The clerk will usually mail you a copy of the orders once the judge decides. If you haven't heard from the court in a few days, call the clerk's office and ask about your case.

Will the judge make a contempt order?

If you are able to prove that the other party disobeyed a court order *willfully* (or on purpose), the judge might give the other party a chance to *comply with* (or obey) the part of the order that was violated. The judge may change the order slightly so that everyone can follow it. But if the other party still doesn't follow the court order, the judge can order imprisonment until the order is obeyed. This doesn't usually happen unless everything else fails.

The judge can write an order that holds the other party in contempt and explains what he or she can do to comply. The judge can either order that the person must obey the court order right away or they may be given time to comply. The judge may decide not to order jail time if

- there is no one else to care for dependent children,
- it is possible they could lose their job, or
- the person has physical or emotional disabilities.

Sample Marshal's Letter

[Date]
[Marshal's Name]
[Marshal's Address]
[Marshal's City, State, and Zip]

Dear Marshal:

Enclosed please find a Motion for Modification to be served on _____. The best place to serve them is at their home address at _____ between the hours of _____ and _____ or at their place of employment, _____, located at _____, between the hours of _____ and _____ .

_____ is _____ years old, _____ tall, and _____ .

Please make your return of service to me and (check one)

_____ bill me directly, or

_____ submit to State of CT for payment in accordance with the enclosed *Application for Waiver of Fees*.

Please call me if you have any questions. Thank you.

Sincerely,

[Your Name]
[Your Street Address]
[Your City, State, and Zip]
[Your Telephone Number]

How to Get Help from Legal Aid

Contact Statewide Legal Services

www.slsct.org
1-800-453-3320 or 860-344-0380

SLS provides free advice to low-income people who have legal problems in Connecticut. For some legal problems, they may send you to another legal aid program or to a volunteer attorney.

Statewide Legal Services of CT

eviction HELP CT

Need help with a housing problem?

If you are facing eviction or losing your housing subsidy, you may have the right to a free lawyer. Call 1-800-559-1565 or go to www.EvictionHelpCT.org.

Contact your local legal aid office:

Connecticut Legal Services

www.ctlegal.org

Bridgeport
203-336-3851
1000 Lafayette Blvd.

New Britain
860-225-8678
16 Main St.

New London
860-447-0323
125 Eugene O'Neill Dr.

Stamford
203-348-9216
1177 Summer St.

Waterbury
203-756-8074
85 Central Ave.

Willimantic
860-456-1761
1125 Main St.

Greater Hartford Legal Aid

www.ghla.org
999 Asylum Ave., Hartford
860-541-5000

New Haven Legal Assistance Association

www.nhlegal.org
205 Orange St., New Haven
203-946-4811

Consumer Law Project for Elders

1-800-296-1467
Help with money and debt problems for people 60+.

Do you know your rights?
Go to **www.CTLawHelp.org** for free legal information.

For more information, go to www.CTLaw.Help/contempt

This booklet was produced by Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services of Connecticut. The information in this booklet is based on laws in Connecticut as of 5/2025. This information is not intended as legal advice. For advice on your situation, call Statewide Legal Services or contact a lawyer.