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

This booklet explains what to do if the other parent has disobeyed a court order, 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 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 1-800-453-3320. 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 (SES). The child support hotline number in Connecticut is 1-800-228-5437.

For more detailed info, go to:

www.CTLaw.Help/contempt

May 2025

Need help?

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.

eviction HELP CT

Got a housing problem?

1-800-559-1565

www.EvictionHelpCT.org

How to contact your local legal aid office:

New Haven Legal Assistance Association

203-946-4811

Greater Hartford Legal Aid

860-541-5000

Connecticut Legal Services

Bridgeport

203-336-3851

New Britain

860-225-8678

New London

860-447-0323

Stamford

203-348-9216

Waterbury

203-756-8074

Willimantic

860-456-1761

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

How to ask for a Contempt Order



May 2025

Statewide Legal Services
1-800-453-3320

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.

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.

Step 1: Fill out the court forms.

You can get the forms online at www.jud.ct.gov, at www.CTLaw.help/contempt (along with more detailed info about this process), or at the court clerk's office.

Step 2: File the court forms with the clerk.

Go to the clerk's office at the court that made the orders and give the clerk your completed forms.

Do I have to pay to file the forms?

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

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

If the order is from a case that is open now, you can mail a copy of the *Motion for Contempt* through regular U.S. mail. It is best to also send it by certified mail with delivery confirmation.

If the order is from a case that has gone to final judgment (ask the clerk's office if you are unsure), you will need to have a marshal *serve* the other person with a copy of the motion. The marshal's fee is usually $50 to $75. If you can't afford the fee, fill out an *Application for Waiver of Fees*.

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 is delivered to the other party, the original papers must be returned to the clerk's office along with proof that they were delivered.

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. Ask the marshal if they will return your motion after service is complete or if you will need to return it.

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

You will usually meet with Family Services at 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 learn 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. Follow the judge's instructions, and do not approach the judge's bench or the 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 disobeyed the order. Bring proof if you can. 3) That the other parent 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 party will have a chance to speak. They may want to ask you questions, too. You will then have a chance to question 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 right away. Or 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 can prove that the other party disobeyed a court order *willfully* (on purpose), the judge might give the other party a chance to obey the part of the order they violated. The judge may change the order slightly so that everyone can follow it. 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 also write an order that holds the other party in *contempt* and explains what they can do to comply. The judge can 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.