

INSTRUCTIONS FOR PETITION FOR CITATION OF CONTEMPT

This form should be used if you have an order from Fulton County, Georgia which the other party is not following. For example, among other things, you can use this form if:

- you have not received child support as ordered,
- you have not been permitted to visit with your child(ren) as ordered,
- the other person has not turned over property as ordered or has not performed other acts as ordered,
- the other person has not obtained health insurance or paid you back for medical expenses as ordered, or
- the other party has otherwise violated the court order.

If you have a court order from another state, please contact an attorney.

HERE ARE DETAILED INSTRUCTIONS ON HOW TO FILL OUT THE FORMS:

The Petition for Citation of Contempt:

- A. In Fulton County, contempt cases keep the same case heading format as the original case. Fill in the "Petitioner", and the "Respondent" in the way it is on the original order. Enter the Case Number from the original order. In the first paragraph, write your name in the first blank and place a check mark to show whether you were the Petitioner or the Respondent in the original case. Write the other party's name in the second blank and place a check mark to show whether he/she was the Petitioner or the Respondent in the original case.

B. **Paragraph 1 :**

Check box (a) if the other party lives in Fulton County. Check (b) if the other party lives outside of Fulton County in Georgia. Check (c) if the other party lives outside of Georgia. Also, in each section, check the space to show whether the other party was the Respondent or the Petitioner.

Paragraph 2:

Check the space for Petitioner or Respondent to show who the opposing party is (who will be served with the court papers). Check (a) if the other party has signed an acknowledgement of service. Check (b) if the other party will be served by the sheriff. On the blank lines, write the other party's address. Check (b-1) if the other party lives outside of Fulton County. Also, in each section, check the space to show whether the other party was the Respondent or the Petitioner.

Paragraph 3:

In the first blank space, write in the case number from the order that is not being obeyed. You can find this at the top right of your original court order. In the second blank space, write the date the order was signed by the judge.

Paragraph 4:

You should check all boxes that apply and fill in the amount of money or items owed in the blank spaces. Also, in each section, check the space to show whether the other party was the Respondent or the Petitioner.

Check "a" if the other party has failed to pay child support. On the blank lines enter the amount the other party was ordered to pay each month and the total amount owed now.

Check “b” if the other party has failed to pay alimony. On the blank lines enter the amount the other party was ordered to pay each month and the total amount owed now.

Check “c” if the other party is not allowing visitation as ordered.

Check “d” if the other party has not given you property as ordered. On the blank lines list the property or items that should have been given to you.

Check “e” if the other party has failed to provide health insurance for the minor children as ordered.

Check “f” if the other party has failed to pay for medical expenses as ordered. On the blank line, enter the amount the total amount owed now.

Check “g” for other violations. On the blank lines explain how the other party has violated the order.

Paragraphs 5-7:

Review the statements in paragraphs 5, 6, and 7. Check either “Petitioner” or “Respondent” (the same for each paragraph) to show who the other party is.

Review the Requests at the end of the Petition.

At the end of the document, enter the date you are signing the Petition, sign your name, print your name, address, and telephone number and email address if you have one.

Verification: The Verification tells the Court that you swear, under oath, that what you wrote or put in the Petition is true and correct.

- A. Fill in the “Petitioner”, and the Respondent in the way it is on the original order and on your Motion for Contempt. Enter the same Case Number.
- C. Next to the word “I”, print or type your name.
- D. Where it says: This _____ day of _____, ____, fill in the date, month and year where indicated.
- E. Print or type your full name where indicated, and fill in your address and telephone number. **DO NOT SIGN THIS. YOU MUST SIGN IT ONLY IN FRONT OF A NOTARY PUBLIC.** You can find a Notary Public at banks, the post office, and the Family Law Information Center.

The Petition for Citation of Contempt must be **served** on the opposing party. You can either have the sheriff serve the papers or the Respondent may sign an Acknowledgment of Service form.

HOW TO PUT THE PAPERS TOGETHER: Put them in this order:

- Sheriff’s Entry of Service (*available from Sheriff’s Office*)
- Summons (*available from Fulton County Clerk’s Office or downloadable at <http://www.fultonclerk.org/285/Civil-Forms>*)
- Petition for Contempt
- A copy of the preexisting Court Order that the opposing party failed to follow. Attach this as an exhibit to the Petition.
- Verification

Follow the Clerk’s Office’s instructions for e-filing your case.

NOTE: These instructions are for filing a Petition for Citation of Contempt on a final order in a closed case. If you are filing a Contempt of a temporary order in an open, pending case you can:

- (a) Change the word "Petition" in the title and Re-title this document "Motion for Contempt"
- (b) Serve the other party under the e-filing rules by mailing or emailing the motion to the address on file with the court and filing a certificate of service.

Talk to an attorney to make sure you are following the correct procedure.