**State of Minnesota District Court** County of: Judicial District: Court File Number: Case Type: ☐ In Re the Marriage of: Name of Petitioner (first, middle, last) **Notice of Motion And Motion** For Contempt of Court and Name of Respondent (first, middle, last) To: First Middle Address Apt. No. City County Zip Code State **Notice** I will ask the court for things stated in my motion (below) at a hearing scheduled as follows: Date: Time: a.m./p.m. Courthouse address: Telephone: NOTE: Please contact the court with your current phone number and mailing address in case they need to notify you of any location or date/time change. Motion Name of Other Party in Contempt of Court by failing to obey 1. Finding paragraphs  $\_$  ,  $\_$  ,  $\_$  ,  $\_$  of the Court's Judgment and Decree or other Order dated \_\_\_\_\_\_, by: (describe what the other party did to disobey the Court Order and include the specific language from the Judgment and Decree or Order that sets forth the duty or obligation)

| 2. Granting the fo | llowing addition | nal relief (if an | <br>ay): |  |
|--------------------|------------------|-------------------|----------|--|
|                    |                  |                   |          |  |
|                    |                  |                   |          |  |
|                    |                  |                   |          |  |

3. For such other and further relief as the Court deems fair, just, and equitable.

## NOTICE TO THE OTHER PARTY

The grounds for this motion are as stated in the attached Affidavit.

The Rules establish deadlines for responding to motions. All responsive pleadings shall be served and filed with the court administrator no later than 7 days before the scheduled hearing. The court may, in its discretion, disregard any responsive pleadings served or filed with the court administrator less than 7 days before such hearing in ruling on the motion or matter in question.

If you want to respond to anything raised by the other party in his/her papers, your written response must be personally served on the other party at least 7 days before the hearing or mailed to the other party at least 10 days before the hearing. Responsive papers are available from the Court Administrator's office or online at <a href="http://mncourts.gov/GetForms.aspx?">http://mncourts.gov/GetForms.aspx?</a>? <a href="mailto:c=15&p=62">c=15&p=62</a>. Your responsive papers must be filed with the Court Administrator at least 7 days before the hearing.

If you want to raise <u>new</u> issues at the hearing the other party has scheduled, your *Motion* and *Affidavit* must be personally served on the other party <u>at least 14 days before the hearing</u> or mailed to the other party <u>at least 17 days before the hearing</u>. Your papers raising <u>new</u> issues must be filed with the Court Administrator <u>at least 14 days before the hearing</u>.

The ability to pay is a crucial issue in a contempt proceeding. A *Parenting / Financial Disclosure Statement* (FAM108) form for submitting ability to pay information is available for use in responding to contempt allegations. The *Parenting / Financial Disclosure Statement* form should be served and filed with the court at or before the contempt hearing. Court forms are available at the Court Administrator's Office or at www.mncourts.gov/forms.

## Acknowledgment

By presenting this form to the court, I certify that to the best of my knowledge, information, and belief, the following statements are true. I understand that if a statement is not true, the court can order a penalty against me (such as to pay money to the other party, pay court costs, and/or other penalties).

- 1. The information I included in this form is based on facts and supported by existing law.
- 2. I am not presenting this form for any improper purpose. I am not using this form to:
  - a. Harass anyone;
  - b. Cause unnecessary delay in the case; or
  - c. Needlessly increase the cost of litigation.
- 3. No judicial officer has said I am a frivolous litigant.
- 4. There is no court order saying I cannot serve or file this form.
- 5. This form does not contain any "restricted identifiers" or confidential information as defined in Rule 11 of the General Rules of Practice (<a href="https://www.revisor.mn.gov/court\_rules/gp/id/11/">https://www.revisor.mn.gov/court\_rules/gp/id/11/</a>) or the Rules of Public Access to Records of the Judicial Branch (<a href="https://www.revisor.mn.gov/court\_rules/rule/ra-toh/">https://www.revisor.mn.gov/court\_rules/rule/ra-toh/</a>).
- 6. If I need to file "restricted identifiers," confidential information, or a confidential document, I will use Form 11.1 and/or Form 11.2, as required by Rule 11.

| Dated: |                 |  |
|--------|-----------------|--|
|        | Signature       |  |
|        | Name:           |  |
|        | Address:        |  |
|        | City/State/Zip: |  |
|        | Telephone:      |  |
|        | E-mail address: |  |

**ENG**