

(this form courtesy of the Hon. Lisa Millard, Judge Presiding &
Hon. Conrad Moren, Associate Judge, 310th Judicial District Court, Harris County
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Cause No. _____

IN THE INTEREST OF § IN THE DISTRICT COURT
_____ §
§
CHILD(REN) § _____ JUDICIAL DISTRICT
§
_____ COUNTY, TEXAS

ORDER HOLDING RESPONDENT IN CONTEMPT FOR
FAILURE TO PAY CHILD SUPPORT AND FOR COMMITMENT
AND JUDGMENT FOR UNPAID CHILD SUPPORT

On this day, the Court heard a motion for enforcement by contempt relating to an alleged failure of Respondent to pay child support.

_____ (Movant) appeared in person and by attorney and announced ready.

_____ (Respondent) appeared in person and by attorney / proceeded pro se after the Court first complied with TFC Section 157.163.

All matters of fact and law were submitted to the Court which also heard the evidence and considered the pleadings as well as any legal argument. A record of testimony was duly reported by _____.

Findings

THE COURT FINDS that

1. it has jurisdiction over the parties and the subject matter of this suit;
2. On _____, 20____, Respondent was ordered to make periodic payments of child support, which order appears of record in Volume ____ starting at page _____, of the minutes of the court;
3. Respondent was charged with separate counts of contempt for failure to pay child support on each date and in the amounts reflected on the attached Exhibit A which is hereby incorporated by reference the same as if recited verbatim;
4. Respondent had the ability to make each child support payment on each date and in the amount as reflected on Exhibit A;
5. Respondent has contemptuously disobeyed the order of this Court by failing to

timely make child support payments on each date and in the amount reflected on Exhibit A;

6. Respondent's child support arrearage from _____ through the date of this hearing or _____, is a total amount of \$_____;
7. \$_____ is a reasonable attorney's fee for Movant's attorney and this amount should be assessed as costs against Respondent; and
8. \$_____ were incurred by Movant as costs of court as a result of Movant's being required to bring Movant's motion for enforcement and this amount should be assessed as costs against Respondent;
9. As a prerequisite for coercive contempt, the Court further finds that on the day of this hearing, Respondent has the ability to pay some / all of the child support arrearage found to be due in Section 6 herein.

Based upon the above findings, it is accordingly ADJUDGED that Respondent _____, is in CONTEMPT OF THIS COURT for each separate violation of this court's order as enumerated in Exhibit A.

Criminal Contempt

It is ORDERED, ADJUDGED and DECREED that punishment for each separate violation of this court's order as set forth above is confinement in the county jail of _____ County, Texas, for a period of _____ days.

However, it is further ORDERED that each period of confinement assessed herein for criminal contempt shall run and be satisfied **concurrently** so that Respondent's commitment to the county jail of _____ County shall be and is hereby fixed for a total period of _____ days confinement in the _____ County Jail, commencing upon the date of commitment and continuing thereafter day to day until _____, 20____, subject to any periods of further incarceration for civil contempt as may be ordered herein.

Respondent, _____, also is hereby FINED \$_____, which Respondent is hereby ORDERED to pay to the District Clerk of _____ County, Texas at _____, by no later than 5:00 .m. on _____, 20____.

Civil Contempt

It is further ORDERED, ADJUDGED, and DECREED that, upon serving his sentence for criminal contempt, Respondent shall continue to be confined in the county jail of _____

County, Texas, from day to day thereafter until Respondent has purged himself of contempt of court by:

1. Paying \$_____ to Movant through the _____ County Child Support Office, located at _____/Texas State Child Support Disbursement Unit, as / towards Respondent's child support arrearage, AND
2. Paying \$_____ as / towards reasonable and necessary attorney's fees incurred in this proceeding directly to Movant's attorney _____, at his/her address which is _____, AND,
3. Paying \$_____ directly to the attorney for Movant at that attorney's above stated address as reimbursement to Movant for court costs incurred in bringing and prosecuting Movant's Motion, AND
4. Paying \$_____ directly to the office of the District Clerk of _____ County, at _____, (which sum contains \$_____ for commitment and \$_____ for steno fee).

Commitment

It is, therefore, ORDERED that the Sheriff of _____ County, Texas, take into custody and commit to the jail of _____ County, Texas, Respondent _____, who is to be confined in the county jail of _____ county, Texas, in accordance with this contempt order or until Respondent is otherwise legally discharged.

Judgment and Attorney's Fees

It is further ORDERED, ADJUDGED, and DECREED that judgments against Respondent be and are hereby awarded and shall be recovered against Respondent by the following persons in the following amounts:

1. \$_____ in favor of Movant for the child support arrearage confirmed as of the date of this hearing or _____, together with interest thereon at the rate set out in Chapter 157, Subchapter F, of the Texas Family Code;
2. \$_____ in favor of Movant's attorney for reasonable and necessary attorney's fees, together with interest thereon at the rate of ____ per annum from the date of this judgement until it is paid in full AND
3. \$_____ in favor of Movant's attorney as reimbursement to Movant for court costs incurred in bringing and prosecuting this motion, together with interest thereon at the rate of ____ per annum from the date of this judgement

until it is paid in full.

Payments made by Respondent pursuant to the purge provisions of this order shall be credited towards satisfaction of the separate judgments enumerated above.

It is further ORDERED that this Order shall in no way alter, abate or modify any prior Order of this Court.

It is further ORDERED, ADJUDGED and DECREED that all writs and other process necessary for the enforcement and execution of this Order shall be issued as many times and as often as necessary.

SIGNED this date: _____.

PRESIDING JUDGE

APPROVED AND REQUESTED TO BE ENTERED:

EXHIBIT A

PAST DUE CHILD SUPPORT PAYMENTS *

(*as incorporated by reference in the attached order holding Respondent in contempt for failure to pay child support)

	DATE DUE	AMOUNT DUE	AMOUNT PAID	ARREARAGE DUE
	A	B	C	D
1				
2				
3				
4				
5				
6				
7				
8				
9				

10				
11				
12				
13				
14				
15				
16				
17				
18				

Total arrearage \$ _____