

**INSTRUCTIONS FOR FILING FOR A MOTION FOR CONTEMPT AND ENFORCEMENT
FOR ANYTHING *OTHER THAN* CHILD SUPPORT
CHILD SUPPORT CAN ALSO BE INCLUDED**

This motion can be used when a party has failed to comply with an order previously entered by the Court. This motion *can also* include the nonpayment of child support, but **should not be used for child support only**. The motion is filed in the case containing the order you believe the other party is not complying with and that case number should be used on all the documents filed. A reopen filing fee of \$50.00 is payable to the Brevard County Clerk of Courts by cash, check, cashier's check, money order, debit card, American Express, Discover, Master Card or Visa.

Procedure:

1. Complete the Motion for Contempt and Enforcement – General Form, [Florida Supreme Court form 12.960] and make 2 copies of the completed form.
2. Complete the Order of Referral [Supreme Court form 12.920(b)] and make 2 copies of the completed form. Stamp and address 2 envelopes, one addressed to you and one addressed to the other party. Clip all of this together. **NOTE: You DO NOT need the Motion for Referral to the General Magistrate. Please discard this form.**
3. Submit the Motion for Contempt and Enforcement (keep the 2 copies of the completed motion for later use), the Order of Referral, the copies of the Order of Referral with 2 stamped, addressed envelopes, and the filing fee to the Clerk of Court. You may submit the paperwork either by U.S. Mail to P.O. Box 219, Titusville, FL. 32781-0219 or by visiting one of the Clerk of Courts locations.

NORTH BREVARD SERVICE COMPLEX

400 South Street, 2nd Floor
Titusville, Florida

MELBOURNE COURTHOUSE

51 S. Nieman Avenue
Melbourne, Florida

MOORE JUSTICE CENTER

Viera Complex
2825 Judge Fran Jamieson Way
Viera, Florida

MERRITT ISLAND OFFICE

2575 North Courtenay Parkway
Room 129
Merritt Island, FL

PALM BAY OFFICE

450 Cogan Drive S. E.
Palm Bay, FL

4. After receiving your copy of the Order of Referral to General Magistrate, you must wait for the 10 day objection period to expire (plus five days for mailing). After the time has expired and no objection has been filed, you may contact the General Magistrate who has been assigned to your case to schedule a hearing. Be sure to have your case number available when you call.
5. Complete the Notice of Hearing Before General Magistrate, [Florida Supreme Court form 12.920(c)]. If you do not think the other party will show up for the hearing without being served by a sheriff's deputy or official process server, complete the Subpoena, [form Law 277].
6. Once those forms are completed, make 2 copies of each of form.

7. Retain one set of copies for your records.
8. Bring the **original** completed Notice of Hearing to the Clerk of Court to file. If you are having the other party served, also bring the Clerk the **original** completed Subpoena, with one set of copies that include a copy of the Motion for Contempt, along with a money order for service. (If the other party lives outside of Brevard County, you will also need to provide a stamped addressed envelope to the agency that will serve the papers, a money order made out to the serving agency, and an envelope stamped and addressed to Clerk of Court, P.O. Box 219, Titusville, FL 32781-0219).
9. If you **are not** using the Subpoena, file **only** the original completed Notice of Hearing with the Clerk and mail a copy of the Motion and the Notice of Hearing to the other party.
10. Attend the hearing and bring the Order on Motion for Contempt, [form Law 1023] along with 4 stamped addressed envelopes (two addressed to you and two addressed to the other party).

If you would like to have someone notarize or look over the completed forms before you file them, contact the Family Pro Se Coordinator at 321-617-7254 or email prosecordinator@brevardclerk.us to set an appointment.