

# INSTRUCTIONS FOR COMPLETING THE BENCH WARRANT (Child Support Contempt)

## HEADING

The heading on this pleading should be the same as the heading in the original action for divorce, legal separation, paternity, or child support. The case number will also be the same.

- Choose the county in the drop down box below the first blank.
- Enter the name of the plaintiff exactly as on the original.
- Enter the name of the defendant exactly as on the original.
- The clerk of the district court assigned a case number when the original action was filed. You must include that case number on any papers you file.

The diagram shows the heading section of a bench warrant form. It includes the following text and callouts:

- a.** Points to the first blank in "IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA". Below the blank is the text "(county where original action was filed) Choose the county ▾".
- b.** Points to the blank for the plaintiff's name: "(name of person listed as plaintiff in original action) \_\_\_\_\_ Plaintiff".
- c.** Points to the blank for the defendant's name: "VS. \_\_\_\_\_ Defendant." Below the blank is the text "(name of person listed as defendant in original action)".
- d.** Points to the blank for the case number: "Case No. CI \_\_\_\_\_". Below the blank is the text "(case number assigned by clerk of court)".

The title of the document is "BENCH WARRANT (Enforcement of Child Support Order)".

## BODY OF BENCH WARRANT

First Paragraph (Beginning with "WHEREAS"):

- In the first blank, enter the name of the person who was ordered to pay child support. This paragraph does not have a number. (The term "Child Support" shall include child support, health care expense, and/or childcare expense.)
- In the second blank, enter the name of the county where the original divorce, legal separation, paternity, or other child support action was filed.
- In the third blank, enter the date the judge signed the order finding the party in contempt.

The diagram shows the first paragraph of a bench warrant form. It includes the following text and callouts:

- a.** Points to the first blank in "WHEREAS \_\_\_\_\_ has failed to purge". Below the blank is the text "(name of person ordered to pay child support)".
- b.** Points to the blank for the county name: "himself/herself of contempt as ordered by the District Court of \_\_\_\_\_ County on \_\_\_\_\_". Below the blank is the text "(county where original action was filed)".
- c.** Points to the blank for the date: "\_\_\_\_\_". Below the blank is the text "(date of contempt order)".

Second Paragraph (Beginning with "THEREFORE"):

- In the first blank, enter the name of the person who was ordered to pay child support.
- In the second blank, enter the name of the county where the original divorce, legal separation, paternity, or other child support action was filed.

The diagram shows the second paragraph of a bench warrant form. It includes the following text and callouts:

- d.** Points to the first blank in "THEREFORE, an Order of Commitment has been issued, and you are commanded to arrest \_\_\_\_\_, wherever he/she may be found in the state of Nebraska and bring him/her to the \_\_\_\_\_ County Jail to be dealt with according to law." Below the blank is the text "(name of person ordered to pay child support)".
- e.** Points to the blank for the county name: "\_\_\_\_\_ County Jail to be dealt with according to law." Below the blank is the text "(county where original action was filed)".

## DATE LINE

Leave this line blank. The judge will fill in the date when he or she signs the document.

## FINAL SIGNATURE

Leave this line blank for the judge to sign the document.

## ADDRESS AND DESCRIPTION OF SUBJECT OF BENCH WARRANT (Page 2)

- a) Print the name of the person who was ordered to pay child support.
- b) Print the last known address of the person who was ordered to pay child support.
- c) Print the city and state of the last known address of the person who was ordered to pay child support.

a)  is residing at:

b)

c)

- d) In the box on the second page, fill in the **description of the person who was ordered to pay child support**, as follows:
- i. Box entitled Sex: Enter "Male" or "Female."
  - ii. Box entitled Race: Enter the race (such as White, Hispanic, Black, etc.).
  - iii. Box entitled Height: Enter an estimate of the height.
  - iv. Box entitled Weight: Enter an estimate of the weight.
  - v. Box entitled Hair: Enter the hair color.
  - vi. Box entitled Eyes: Enter the eye color of the person.
  - vii. Box entitled Date of Birth: Enter the month, day, and year of birth
  - viii. Box entitled Other Distinguishing Marks: Enter any other distinguishing marks or characteristics.

d)

Sex:	<input type="text"/>	i.
Race:	<input type="text"/>	ii.
Height:	<input type="text"/>	iii.
Weight:	<input type="text"/>	iv.
Hair:	<input type="text"/>	v.
Eyes:	<input type="text"/>	vi.
Date of Birth:	<input type="text"/>	vii.
Other distinguishing marks, if any:	<input type="text"/>	viii.

You should fill in as many of the description areas as you can, because this will help the sheriff serving the Bench Warrant. If the person has any other distinguishing marks or characteristics, please include that information in the last box.