

INSTRUCTIONS FOR COMPLETING THE AFFIDAVIT AND APPLICATION FOR ORDER TO SHOW CAUSE (Alimony/Property Settlement)

If you are printing the Application and handwriting the answers, you will check the first box. If you are typing in your answers, you will check the second box.

- Printing the form and handwriting the answers.
- Completing the form electronically.

HEADING

The heading on this pleading should be the same as the heading in the original case. The case number will also be the same.

- a. Enter the name of the county where the original case was filed.
- b. Enter the name of the plaintiff exactly as listed in the original case.
- c. Enter the name of the defendant exactly as listed in the original case.
- a. e clerk of the district court assigned a number when the original case was filed. You must include that case number on any papers you file, including this action for contempt.

a. IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
Choose the county

b. _____, Plaintiff,
(name of plaintiff in original action)

vs.

c. _____, Defendant.
(name of defendant in original action)

d. Case No. _____

AFFIDAVIT AND APPLICATION FOR ORDER TO SHOW CAUSE (Alimony/Property Settlement)

BODY OF AFFIDAVIT AND APPLICATION

- a. the first blank, enter your name.
- b. the second blank, enter the name of the other party.
- c. ck the box in front of "alimony" or "comply with a property agreement" to show what you are asking the court to enforce. This paragraph does not have a number.

a. I, _____, without the assistance of an attorney, ask
(your name)

b. this court for an order requiring _____ to
(name of person ordered to pay alimony or comply with property settlement)

c. show cause why he/she should not be held in contempt for failing to (check all that apply):

pay alimony comply with the property settlement as ordered.

The numbers below give instructions for completing the paragraphs with the same numbers in the Affidavit and Application for Order to Show Cause:

Paragraph 1. A. Enter the date the judge signed the order for alimony or a property settlement.

B. Enter the name of the person ordered to pay or comply.

A. 1. On _____, an order was entered requiring
(date judge signed order)

B. _____ to (check all that apply):

C. To complete this paragraph, you must check only the boxes that apply:

- a. you are trying to enforce an order for alimony, you must check the first box.
 - i. the amount of alimony that was ordered to be paid each month.
 - ii. enter the date the first alimony payment was to be made.
- b. you are trying to enforce an order for property settlement, check the second box and explain how the other party is not following the court's order.

pay alimony of _____ per month beginning _____
(amount of monthly alimony ordered) (date alimony ordered to begin)

comply with the property settlement terms. The other party has not followed the order in the following ways:

Paragraph 3. You must check the box to show the order you are trying to enforce. Only fill in the blanks for the boxes you checked.

A. Alimony

- a. Enter the name of the person ordered to pay alimony.
- b. Enter the date you used when you figured how much alimony is past due.
 - i. IF there is also child support involved in the order, you will get this date from the Nebraska Child Support Payment Center.
 - ii. IF there is no child support involved in the order, you will get this date from the clerk of the district court.
- c. Enter the name of the person ordered to pay alimony.
- d. Enter the amount of alimony that is past due.
 - i. IF there is also child support involved in the order, you will get this date from the Nebraska Child Support Payment Center.
 - ii. IF there is no child support involved in the order, you will get this date from the clerk of the district court.

_____ is more than one _____
(name of person ordered to pay alimony) (date alimony shortage computed)

month behind in the payment of alimony. As of _____,
(date alimony shortage computed)

_____ owes a total of _____ in alimony.
(name of person ordered to pay alimony) (amount of support owed)

B. Property Settlement

- a. Enter the name of the person ordered to comply with the property settlement.

_____ has not complied
(name of person ordered to comply with a property settlement)

with the property settlement terms defined in the order.

Paragraph 4. a. Enter the name of the person ordered to pay alimony or comply with the property settlement.

4.

a. 4. _____'s failure to pay or
(name of person ordered to pay alimony or comply with property settlement)

CLOSING PARAGRAPH (Beginning with "WHEREFORE")

- a. Enter the name of the other party.
- b. Check the box in front of either "pay alimony" or "comply with the property settlement" to show what you are asking the court to enforce.
- c. Check the box in front of the last statement, and enter the name of the other party if you are asking the court to order the other party to pay the expenses from this case for enforcement.

a. WHEREFORE, I request the court issue an order directing
_____ to appear before
(name of person ordered to pay alimony or comply with property settlement)
b. court on a specific day and at a specific time to show cause why he/she should not be held in contempt for failing to (check all that apply):
c. pay alimony comply with the property settlement ordered by the court
 I further request that _____ be or
(name of person ordered to pay alimony or comply with property settlement)

FINAL SIGNATURE

a. DO NOT SIGN THE AFFIDAVIT AND APPLICATION UNTIL YOU ARE BEFORE A NOTARY PUBLIC.

- b. Enter the date.
- c. Print your first, middle, and last names.
- d. Enter your full street address.
- e. Enter your city, state, and ZIP code.
- f. Enter your telephone number, including the area code.
- g. Enter your email address, if any.

a. Signature: _____ Date: _____ b.
c. Printed Name: _____ d.
Street Address/P.O. Box: _____ e.
City/State/ZIP Code: _____ f.
Telephone Number: _____ g.
Email address: _____

- h. Carefully read the statement.
 - i. Check the box if you do not have the ability to receive emails.
 - ii. You must give the reason you don't have the ability to receive emails on the line provided.

i.

*[Nebraska Supreme Court Rule § 2-208](#) requires individuals who are not attorneys and representing themselves to provide their email address. The court will use the email address to send notices from the court about this case **except** for items that require another type of service as directed by statute or Nebraska Supreme Court Rule.

If you no longer have email capability or if your email or other contact information changes, you must complete a [Change of Contact Information Form](#).

ii.

By checking this box, I am letting the court know that I do not have the ability to receive emails. The reason I cannot receive email is:

Notary Section will be completed by a Notary Public.

This form must be signed and sworn to in the presence of a notary public. You must bring a photo identification for the notary to verify your identity.