

Rule 39. Motions to Show Cause and Complaints in Contempt

(A) Contents of motion.

Any Motion to Show Cause shall state with specificity each provision of a prior court order with which a party has failed to comply, the date of such order, and the facts constituting the non-compliance. The motion shall be supported by affidavit. A copy of the court order with respect to which the party allegedly has failed to comply shall be attached to the motion.

(B) Complaint in contempt.

A Complaint in Contempt shall state with specificity each provision of a County Job and Family Services' Order with respect to which a party has failed to comply, the date of such order and the facts constituting the non-compliance. A copy of the administrative order shall accompany the complaint.

(C) Motions/Complaints for non-support.

If the motion/complaint pertains to failure to pay child support, the motion/complaint shall clearly set forth the date of the last order of support or County Job and Family Services' Order, the amount of support, the total elapsed weeks or months, the amount that should have been paid during that time, the amount actually paid during that time, and the amount of arrearage existing to the date of filing. For purposes of computing the arrearage, the effective date of a court order for child support shall be the date of journalization unless the order specifically designates some other effective date. At the hearing, the filing party shall be prepared to update the arrearage computation to the date of hearing.

(D) Medical bills or other support obligations.

If the motion/complaint asserts non-payment of medical/dental/optical bills or support other than periodic payments, the motion/complaint shall itemize the expenses and state whether demand for payment has been made prior to filing.

(E) Interest.

If interest is being sought on a child support arrearage that has accrued since July 1, 1992, the party requesting interest shall have determined prior to the hearing, how many weeks or months of support the computed arrearage constitutes and categorize the total weeks or months of arrearage based on the amount of weekly or monthly support ordered and based on the rate of 10% per year, simple interest.