

**SWINOMISH TRIBAL COURT
SWINOMISH RESERVATION
LaCONNER, WASHINGTON**

In re:

and

Petitioner,

Respondent.

No.

**Motion/Declaration for an
Order to Show Cause re
Contempt**

I. Motion

(Name of requesting party) _____ moves the court for an order directing (name of other party) _____ to appear personally before the court and show cause why an order should not be entered:

1.1 Finding Contempt

- Does not apply.
- Finding contempt for failure to comply with:
 - the order of child support
 - the order of maintenance
 - the parenting plan/custody order
 - the restraining order
 - other:

Signed by the court on (date) _____ in (county and state) _____.

1.2 Establishing a Judgment

- Does not apply.
- Establishing a judgment in the amount of \$ _____ plus \$ _____ interest for delinquent child support and \$ _____ costs for the period from (date) _____ through (date) _____.
- Establishing a judgment in the amount of \$ _____ plus \$ _____ interest for delinquent maintenance and \$ _____ costs for the period from (date) _____ through (date) _____.

1.3 Granting Sanctions

- Does not apply.
- Granting sanctions for contempt, including a forfeiture for each day the contempt of court continues, and establishing conditions by which the contempt may be purged and granting any other relief, including reasonable attorney fees and costs and make up residential time, as may be appropriate pursuant to the Swinomish Tribal Code.
- Imprisonment is sought as a sanction.

1.4 Other

This motion is based upon the declaration which follows.

Dated: _____

Signature of Requesting Party or Spokesperson.

Print or Type Name

II. Declaration

(Name) _____ should be held in contempt for the following reasons:

- Failure to comply with the provision of the child support order which directed payment of:
 - current support in the amount of \$ _____ per month.
 - day care or special expenses/extraordinary costs/educational expenses or provide health insurance coverage as described below:
 - Other:

Failure to comply with the maintenance order which directed payment of maintenance in the amount of \$ _____ per month as described below:

Failure to comply with the parenting plan as follows:

Failure to comply with the restraining order as which required:

This order was violated in the following manner:

Other:

I declare under penalty of perjury under the laws of the Swinomish Tribe and the state of Washington that the foregoing is true and correct.

Signed at (city) _____ (state) _____ on (date) _____.

Signature of Requesting Party

Print or Type Name

**SWINOMISH TRIBAL COURT
SWINOMISH RESERVATION
LaCONNER, WASHINGTON**

In re:

and

Petitioner,

Respondent.

No.

**Order to Show Cause re
Contempt**

It is Ordered:

(Name of nonrequesting party) _____ shall appear in person before this court at the place and time below and show cause why the relief requested in the motion should not be granted.

Date: _____ Time: _____ a.m./p.m.

Place: _____ Room/Department: _____

If you fail to appear in person and defend at these proceedings the court may grant all of the relief requested and/or issue a bench warrant for your arrest without further notice to you.

If imprisonment is requested in the motion and you cannot afford an attorney, you may request the court to appoint an attorney to represent you.

Other:

Dated: _____

Judge

Presented by:

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

Ord to Show Cause re Contempt - Page 1 of 1

Swinomish Tribal Court
17337 Reservation Road
LaConner, WA 98257
Tel: 360-466-2097 or 7217

**SWINOMISH TRIBAL COURT
SWINOMISH RESERVATION
LaCONNER, WASHINGTON**

In re:

and

Petitioner,

Respondent.

No.

**Order on Show Cause re
Contempt/Judgment**

Next Hearing Date:

I. Judgment Summary

Does not apply.

Judgment summary is as follows:

- A. Judgment creditor _____
- B. Judgment debtor _____
- C. Principal judgment amount (back support/maintenance) \$ _____
From (date) _____ to (date) _____
- D. Interest to date of judgment \$ _____
- E. Attorney fees \$ _____
- F. Costs \$ _____
- G. Other recovery amount \$ _____
- H. Principal judgment shall bear interest at _____% per annum
- I. Attorney fees, costs and other recovery amounts shall bear interest at _____% per annum
- J. Attorney for judgment creditor _____
- K. Attorney for judgment debtor _____
- L. Other: _____

II. Findings and Conclusions

This Court Finds:

2.1 Compliance With Court Order

(Name) _____ did comply intentionally failed to comply with a lawful order of the court dated on _____.

2.2 Nature of Order

The order is related to child support spousal maintenance parenting plan (custody/visitation) a restraining order.

2.3 How the Order was Violated

- The order was not violated.
 This order was violated in the following manner (include dates and times, and amounts, if any):

2.4 Past Ability to Comply With Order

(Name) _____ had did not have the ability to comply with the order as follows:

2.5 Present Ability and Willingness to Comply With Order

(Name) _____ has does not have the present ability to comply with the order as follows:

(Name) _____ has does not have the present willingness to comply with the order as follows:

2.6 Back Support/Maintenance

- Back support/maintenance is not addressed in the contempt motion.
- No back support or maintenance is owed.
- (Name) _____ failed to pay the other party the sum of \$_____ for maintenance/support and interest to date in the amount of \$_____ for the period from _____ through _____.
- Other:

2.7 Compliance With Parenting Plan

- Does not apply.
- (Name) _____ has complied, and is currently willing to comply, with the parenting plan.
- (Name) _____ has not complied with
 - the residential (visitation) provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply. The noncompliance with the residential provisions [] was [] was not in bad faith.
 - decision making provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply.
 - dispute resolution provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply.
- Other:

2.8 Attorney Fees and Costs

- Does not apply.
- The attorney fees and costs awarded in paragraph 3.7 below have been incurred and are reasonable.

III. Order and Judgment

It is Ordered:

3.1 Contempt Ruling

(Name) _____ is is not in contempt of court.

3.2 Imprisonment

- Does not apply.
- (Name) _____ is to be confined in the (name of jail) _____.
- Confinement shall commence immediately and shall continue until (date) _____ or until the contempt is purged as set forth in paragraph 3.6 below, in which case the contemnor shall be released immediately.
- Confinement is suspended as follows:
- Other:

3.3 Additional Residential Time

- Does not apply.
- (Name) _____ shall have additional residential time as follows:

3.4 Judgment for Past Child Support

- Does not apply.
- No judgment for past child support was requested.
- (Name) _____ shall have judgment against
(name) _____ in the amount of \$ _____
and for unpaid child support arrearages \$ _____ interest thereon for the period
from (date) _____ through (date) _____.

3.5 Judgment for Past Maintenance

- Does not apply.
- (Name) _____ shall have judgment against
(name) _____ in the amount of \$ _____ for
unpaid maintenance arrearages and \$ _____ interest thereon for the period
from (date) _____ through (date) _____.

3.6 Conditions for Purging the Contempt

- Does not apply.
- The contemnor may purge the contempt as follows:

3.7 Attorney Fees and Costs

- Does not apply.
- (Name) _____ shall have judgment against
(name) _____ in the amount of \$ _____ for
attorney fees and \$ _____ for costs.

3.8 Review Date

- Does not apply.
- The court shall review this matter on (date) _____ at (time) _____.

3.9 Other

Warning: Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense. Violation of this order may subject a violator to arrest.

Dated: _____

Judge/Commissioner

Presented by:

Approved for entry:
Notice of presentation waived:

Signature of Party or Lawyer/WSBA No.

Signature of Party or Spokesperson

Print or Type Name

Print or Type Name