

MAINE JUDICIAL BRANCH

_____ Plaintiff

DISTRICT COURT

Location (Town): _____

V.

Docket No.: _____

_____ Defendant

_____ Other party, if any

MOTION TO ENFORCE

Child Support Only

19-A M.R.S. §§ 951-A, 1501-1510, 1653, 1657, 2001-2011

PLEASE NOTE: If either party wishes to keep an address confidential, that party may complete an Affidavit for Confidential Address (FM-057). This form is available at the Clerk’s Office or at www.courts.maine.gov.

1. I am the plaintiff defendant in this case and I now reside in (town) _____ (county) _____, (state) _____.

Please write “confidential” in the space above if you are filing an Affidavit for Confidential Address.

2. The other party now resides in (town) _____, (county) _____ (state) _____.

OR

Residence of the other party is unknown and I have used reasonable efforts and cannot locate the other party.

3. The other party is failing or refusing to obey the Court’s Judgment or Order in this case, dated (mm/dd/yyyy) _____, concerning the following issues (check all that apply):

- Child support;
- Spousal support (alimony);
- Primary residential care of the minor child(ren);
- Rights of contact or visitation with the minor child(ren);
- Distribution of property;
- Responsibility for debts; and/or
- Other: _____

IF THIS CASE DOES NOT INVOLVE MINOR CHILDREN, PLEASE SKIP TO NUMBER 9.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

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4. Plaintiff and defendant are the parents of the following children:

Full name	Date of birth (mm/dd/yyyy)	Present address(es) (do not list if confidential to other party)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. List below where and with whom the child(ren) have lived within the **past 5 years**, in order from the most recent, 19-A M.R.S. § 1753 (attach an additional page if more space is needed):

Name of person with whom child(ren) lived	Present address of the person that child(ren) lived with (do not list if confidential to other party)	Dates lived with that person (mm/yy) – (mm/yy)	Town/State where child(ren) lived with that person
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. No one other than the plaintiff or defendant has physical custody of the child(ren), or claims to have custody or visitation rights with respect to the child(ren) except: _____

7. Plaintiff has not been involved in any way in, and has no information about, another Court case in Maine or in any other state concerning custody of the minor child(ren) except as follows:
 Protection from Abuse (provide docket number): _____
 Probate matter (provide docket number): _____
 Other (describe what kind of case and provide docket number): _____

8. No public assistance benefits (MaineCare or TANF) have ever been received for the child(ren).
OR
 Public assistance benefits (MaineCare or TANF) have been, are now, or will be received for the child(ren).
AND
 The Department of Health and Human Services **has** issued a child support order regarding the child(ren). (If such an order has been issued, a copy of the order must be attached to this motion.)

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9. The other party is failing or refusing to obey the Court’s Judgment or Order in the following ways (attach an additional piece of paper, signed under oath, if necessary):

10. WHEREFORE, I ask the Court to find that the other party has failed or refused to obey the Court’s Judgment or Order and enter an order requiring the other party to:

- Permanently stop disobeying the Judgment or Order in this case;
Obey and comply with the Judgment or Order by requiring the party to do the following: _____

Other (be specific about the any other relief you are requesting): _____

Pay my costs in this case, including reasonable attorney fees

I also ask the Court to grant such other relief as it deems just and proper.

I swear under penalty of perjury that the above statements are true and correct. I understand that these statements are made for use as evidence in court and that I am subject to prosecution for perjury punishable by up to 5 years in prison and a fine of up to \$5,000 if I give false information to the court.

Date (mm/dd/yyyy): _____

Signature of plaintiff defendant

Attorney: _____

Name: _____

Bar No.: _____

Address is confidential (if so, leave blank below)

Address: _____

Address: _____

Telephone: _____

Telephone: _____

Email: _____

Email: _____

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STATE OF MAINE

_____ County

Personally appeared the above named plaintiff, _____, and made oath that the foregoing statements are true under penalty of perjury.

Before me,

Date (mm/dd/yyyy): _____

▶ _____
 Attorney at Law Notary Public Clerk

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IMPORTANT WARNING TO RESPONDING PARTY

If you oppose this motion, you may file with the court a response with any supporting affidavits or other documents no later than 21 days after you have been served with this motion. In addition, you must also send a copy of all filings to all other parties or their attorneys, if any.

NOTICE TO BOTH PARTIES

If this motion involves minor children, you are required to attend a case management conference at the court. Within two weeks after the moving party files with the Court proof of service of the motion to modify and child support affidavit, the Court will notify you of the date and time of the conference. The notice will be sent by regular mail.

You have the right to appear and be heard at all court events (trial, hearing, conference, mediation, etc.). If you fail to appear at any or all court events without good cause, action may be taken in your case even though you are not there. This means that the Court may, in your absence, enter an interim (temporary) order, or hold a final hearing and enter a final order or judgment regarding any or all of the issues in your case, including but not limited to, paternity or parentage, parental rights and responsibilities for children (decision-making, residence, contact, etc.), child support, spousal support (alimony), attorney fees, and distribution of marital and non-marital property (debt, real estate, vehicles, personal property, pension and retirement accounts, etc.). The Court also has the option to dismiss any pleading that you have filed if you do not appear in Court. It is your own responsibility to be sure that the Court has your correct mailing address. Any change of address must be in writing and delivered to the Clerk's office by hand or regular mail.

The District Court is located at:

STATE OF MAINE

County of _____, ss.

On (mm/dd/yyyy) _____, I served the Motion to Enforce upon the defendant by delivering a copy of the same at the following address: _____

to the above-named responding party in hand.

to _____ (name), a person of suitable age and discretion who was then residing at _____ responding party's usual residence.

to _____ the (name), who is authorized to receive service for the responding party.

by (describe other manner of service): _____

COST OF SERVICE:

Service \$ _____

Travel \$ _____

Postage \$ _____

Other \$ _____

Signature of person making service

Title

OR

I, the plaintiff defendant, have completed service by:

Certified Mail, Restricted Delivery, Return Receipt; Acceptance of Service; Signed Acknowledgment Form

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