

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

(Names of Plaintiff(s)/Petitioner(s))

VS

AFFIDAVIT IN SUPPORT
of Motion for Contempt

Index No. _____

(Names of Defendant(s)/Respondent(s))

STATE OF NEW YORK
COUNTY OF _____ SS:
(County where notarized)

I, _____, being duly sworn, deposes and says:
(Insert your name)

1. I am the _____, in this divorce action.
(plaintiff or defendant)

2. I reside at: _____
(Street address, city, state, zip code)

3. I submit this affidavit in support of my motion for civil and criminal contempt

sanctions against _____, for _____ willful failure to comply with the
(opposing party's name) (his or her)

Order or Judgment of this Court, dated _____. A copy of that Order or
(date of Order or Judgment)

Judgment is attached to this affidavit as Exhibit A. (attach copy of Order or Judgment)

4. On _____, this Court awarded me _____:
(date of Order or Judgment) (temporary or final)

- Child Support
- Maintenance / Spousal Support
- Custody
- Visitation
- Equitable Distribution of Marital Property

Other _____
(Describe other relief awarded)

5. Copy of such Order or Judgment was served upon _____
(opposing party's name)

by _____ on _____.

6. _____ should be held in contempt of this Court's Order or
(opposing party's name)

Judgment because: _____

(Describe why you think the opposing party should be ordered to comply. Include specific details of what he or she has done or not done to comply. Provide affidavits of witnesses and police incident reports documenting custody or visitation violations.)

7. Attached to this affidavit as Exhibit B is the following documentation showing that

_____ has willfully and intentionally failed to comply with the Order or
(opposing party's name)

Judgment of this Court:

(Provide letters, documentation from opposing party)

8. I believe that nothing less than a fine and incarceration will persuade

_____ to comply with the Court's Order of Judgment. Other
(opposing party's name)

enforcement devices, including income deduction Orders, income executions, sequestration

or posting of a bond will be or have been unsuccessful because:

(For example, include, if applicable, that opposing party is self-employed or employed off the books, has transferred assets to another party, or that the contempt relates to custody or visitation.)

9. If _____ is not forced to comply with this Order, I will suffer the
(opposing party's name)

following hardships:

(Describe hardships. Some examples include, but are limited to: possible eviction; loss of relationship with child(ren); foreclosure; inability to pay for basic necessities such as food, clothing, shelter or health care.)

10. _____'s willful and intentional non-compliance with the Order or
(opposing party's name)

Judgment of this Court has defeated, impaired, impeded and prejudiced my rights.

11. a) I have made no prior application for the relief requested in this motion, or

b) If prior application made, set forth the results of such prior application:

(Describe results of prior applications)

WHEREFORE, I respectfully request that this motion be granted, and that I have such

other and further relief as the Court may find to be just and proper.

(Sign your name in the presence of a Notary Public)

(Print your name)

Sworn to before me this

_____ day of _____, 20_____

Notary Public