

IN THE _____ JUDICIAL DISTRICT COURT OF EL PASO COUNTY, TEXAS

IN THE MATTER OF THE MARRIAGE OF:)

_____)
_____)

AND _____)
_____)

AND IN THE INTEREST OF: _____)
_____)

_____)

NO.: _____ CM _____

ASSOCIATE JUDGE'S FINDINGS ON
MOTION FOR ENFORCEMENT OF CHILD-SUPPORT ORDER

On the ____ day of _____, 20____ the above cause came on to be heard.

APPEARANCES

MOVANT _____,SSN.:_____.
[] appeared in person and by attorney _____, and announced ready.
[] appeared in person and announced ready
[] having been duly cited failed to appear and wholly made default.
[] having previously appeared and been notified of this hearing failed to appear.

RESPONDENT _____,SSN.:_____.
[] appeared in person and by attorney _____, and announced ready.
[] appeared in person and announced ready
[] waived service of citation and did not appear.
[] having been duly cited failed to appear and wholly made default
[] having previously appeared and been notified of this hearing failed to appear.

RECORD

[] A record was not taken.
[] A record was taken by Stephanie Taylor/Cecilia Looney/or _____.

The Court, having read the pleadings, heard evidence and argument of counsel, is of the opinion that the following ORDERS should be entered:

FINDINGS

[] the Court finds that RESPONDENT is NOT GUILTY of Contempt.
[] the Court finds that RESPONDENT IS GUILTY of Contempt in that Respondent has failed to comply with the provisions of an order dated _____, _____, that appears in the minutes of the court, wherein Respondent was ordered to make periodic payments of child support to Movant through the Office of the Local Registry of the Domestic Relations Office, Room LL108, El Paso County Courthouse.

CONTEMPT FINDINGS AND FINDINGS ON ARREARS

[] the Court finds that Respondent is in contempt of court for failing to pay to Movant through the Office of the District Clerk of El Paso County, Texas the full amount of child support due on each of the payment dates as follows:
[] the Court finds no contempt, but does find an arrearage as follows: _____

COUNT/DATE /DUE - FAILED TO PAY			COUNT/DATE/DUE - FAILED TO PAY			COUNT/DATE/ DUE-FAILED TO PAY		
1	___/___/___	\$ _____	21	___/___/___	\$ _____	41	___/___/___	\$ _____
2	___/___/___	\$ _____	22	___/___/___	\$ _____	42	___/___/___	\$ _____
3	___/___/___	\$ _____	23	___/___/___	\$ _____	43	___/___/___	\$ _____
4	___/___/___	\$ _____	24	___/___/___	\$ _____	44	___/___/___	\$ _____
5	___/___/___	\$ _____	25	___/___/___	\$ _____	45	___/___/___	\$ _____
6	___/___/___	\$ _____	26	___/___/___	\$ _____	46	___/___/___	\$ _____
7	___/___/___	\$ _____	27	___/___/___	\$ _____	47	___/___/___	\$ _____
8	___/___/___	\$ _____	28	___/___/___	\$ _____	48	___/___/___	\$ _____
9	___/___/___	\$ _____	29	___/___/___	\$ _____	49	___/___/___	\$ _____
10	___/___/___	\$ _____	30	___/___/___	\$ _____	50	___/___/___	\$ _____
11	___/___/___	\$ _____	31	___/___/___	\$ _____	51	___/___/___	\$ _____
12	___/___/___	\$ _____	32	___/___/___	\$ _____	52	___/___/___	\$ _____
13	___/___/___	\$ _____	33	___/___/___	\$ _____	53	___/___/___	\$ _____
14	___/___/___	\$ _____	34	___/___/___	\$ _____	54	___/___/___	\$ _____
15	___/___/___	\$ _____	35	___/___/___	\$ _____	55	___/___/___	\$ _____
16	___/___/___	\$ _____	36	___/___/___	\$ _____	56	___/___/___	\$ _____
17	___/___/___	\$ _____	37	___/___/___	\$ _____	57	___/___/___	\$ _____
18	___/___/___	\$ _____	38	___/___/___	\$ _____	58	___/___/___	\$ _____
19	___/___/___	\$ _____	39	___/___/___	\$ _____	59	___/___/___	\$ _____
20	___/___/___	\$ _____	40	___/___/___	\$ _____	60	___/___/___	\$ _____
TOTAL \$ _____								

- the Court finds that Respondent was able to pay child support in the amounts and on the dates ordered as set out above and that Respondent is guilty of a separate act of contempt for each such separate failure to pay child support in the amounts ordered.
- the Court finds that on the day of this hearing Respondent has the ability to comply with the order of the Court by paying the child support arrearages set forth in violations _____ enumerated herein.
- the Court finds and confirms that Respondent is in arrears in the amount of \$_____ for the period _____ through _____, and that judgment should be awarded against Respondent in that amount.

ATTORNEY'S FEES/COSTS

- None assessed.
- the Court finds that reasonable attorney's fees and costs in the following amounts be assessed against Respondent: Attorney's fees \$_____; Costs \$_____.
- the Court finds that attorney's fees and costs assessed against Respondent shall be deemed as additional child support and payable as follows:
In addition to the regularly scheduled child support payment of \$_____ and \$_____ as payment on the child support arrearages, if any, Respondent shall pay an additional \$_____ per month for _____ months as attorney's fees and cost assessed herein, for a total monthly payment of \$_____, OR, PAYABLE AS FOLLOWS:

_____.

CRIMINAL CONTEMPT

- IT IS ORDERED** that punishment for each separate violation is assessed at a fine of \$_____ and confinement in the county jail of El Paso County, Texas for a period of _____, OR
- IT IS ORDERED** that Respondent is committed to the county jail of El Paso County, Texas, for a period of _____ days for each separate violation enumerated herein.

CIVIL CONTEMPT

IT IS ORDERED that Respondent shall be confined in the county jail of El Paso County, Texas, until Respondent complies with the provisions of the order as follows:

- \$_____ as payment of child-support arrearages payable through the Local Registry of the Domestic Relations Office, Room LL108, El Paso County Courthouse.
- \$_____ as court costs and attorney's fees payable to Movant's attorney at his/her law office located at _____, El Paso, Texas.

SUSPENSION OF COMMITMENT AND PROBATION

Commitment is suspended and Respondent placed on probation for a period of _____ on the following terms and conditions:

PAYMENT OF ARREARAGE

- LUMP SUM PAYMENT** - pay \$_____ in cash or by money order to Movant, through the Domestic Relations Office of El Paso County, Texas, on or before _____, _____, as payment on the arrearage.
- INSTALLMENT S** - pay \$_____ in cash or by money order to Movant, through the Domestic Relations Office of El Paso County, Texas, on the _____ day of each (month/week) with the first payment due on _____, _____, and continuing in the same amount and frequency on every _____ thereafter, until the full arrearage is paid.
- OTHER** - payment of the arrearage of \$_____, by check or money order, to Movant, through the Domestic Relations Office of El Paso County, Texas, as follows: _____

Any check returned for non-sufficient funds will be considered a failure to pay and violation of the terms of suspension.

- D.R.O.:** Respondant is ordered to appear at the Domestic Relations Office by _____, and is ordered to comply with all terms of probation set forth herein or in a separate document to be attached hereto or to a final order as Exhibit "A".

PAYMENT OF ATTORNEY'S FEES/COURT COSTS

- pay \$_____ as court costs to Movant's attorney at _____, El Paso, Texas, on or before _____, 20_____;
- pay \$_____ as attorney's fees to Movant's attorney at _____ El Paso, Texas, on or before _____, 20_____. The attorney may enforce this order for attorney's fees in the attorney's own name.
- pay \$_____ as attorney's fees to movant's attorney at _____ by paying installments as follows: _____

TERMS AND CONDITIONS OF PROBATION

- Under Court Supervision
- Report to the Probation Officer as follows: _____

JUDGMENT FOR ARREARAGE

- Judgment granted in the amount of \$_____, shall bear interest at _____ percent per annum compounded annually from the date this order is signed, for which let execution issue.

COMPLIANCE HEARING

Respondent is ORDERED to appear before this Court on _____, _____, at _____ o'clock _____m., for a hearing to determine whether Respondent has complied with the terms and conditions of Respondent's probation and for suspension of commitment under this order and, if not, for commitment.

ADDITIONAL ORDERS

APPROVALS:

ATTORNEY FOR MOVANT

MOVANT

ATTORNEY FOR RESPONDENT

RESPONDENT

RECOMMENDED BY:

_____ on _____, _____.
Associate Judge

The Associate Judge's findings and recommendations are ADOPTED, CONFIRMED and so ORDERED on _____, 20_____.

JUDGE PRESIDING

PURSUANT TO T.R.C.P., Rule 305, any party may prepare and submit a proposed judgement to the court for signature. The attorneys in this cause are hereby directed to prepare the proposed judgement and appear on the _____ day of _____, 20_____, at 9:30 a.m., to enter judgement of this cause. Attorney for Petitioner / Respondent / Intervenor shall prepare the order.

Pursuant to sec. 201.015, Govt. Code, a party may appeal an Associates Judge's conclusion and recommendation