

Cause Number: _____
Fill in Cause number and court information exactly as it is written on the Petition.

In the Interest of the following Minor Child(ren):

(Print the initials of each child.)

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5. _____

In the _____
Court Number

- District Court
- County Court at Law

of _____ County,
Texas

Motion for Enforcement of Possession and Access Order

1. Discovery Level

Discovery should be conducted under Level 2 of Rule 190 of the Texas Rules of Civil Procedure. [Discovery is a procedure that can be used by parties in a lawsuit to find out information about the other party.]

2. Parties

Movant

[You]

I am the Movant.

My name is: _____
[PRINT your full name]

I live at: _____
[Print your address].

I am the child(ren)'s: Parent _____
[CHECK one.] [Other: Please explain]

I am the child(ren)'s: Joint Managing Conservator. Possessory Conservator.
[CHECK one.] Sole Managing Conservator. Other Managing Conservator.

WARNING: You cannot use these forms unless a court has appointed you a conservator of the children. If you are not a conservator, call an attorney to learn your options.

Respondent

Respondent's name is: _____
[PRINT the full name of the Respondent]

Respondent lives at: _____
[Print the Respondent's address].

Respondent can be served at: _____
[Print the address where the Respondent should be served, if different].

Respondent is the child(ren)'s: Parent _____
[CHECK one.] [Other: Please explain]

Respondent is the children's: Joint Managing Conservator Possessory Conservator
[CHECK one.] Sole Managing Conservator Other Managing Conservator

3. Children

My child(ren)'s names are:

Child's Name	Child's sex	Child's Birthday [month/day/year]
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Jurisdiction

This court has continuing, exclusive jurisdiction of this case as a result of prior proceedings.

5. Contempt

Contempt Based on Denial of Possession

[Check this box and complete the following section if the Respondent has denied your court ordered visitation.]

This Court signed an order called: _____
[Print the name of the order that you are trying to enforce.]

The Court signed the order on: _____
[Print the date the judge entered your court order. This is either the date you appeared in court, or the date the judge signed the order. It is usually the earlier date.]

The Court ordered Respondent to make the children available to me as set forth in the attached order, labeled Exhibit A. [Attach a copy of the court order to this motion. At the top of the order, write: Exhibit A.]

The Respondent has refused to comply with this court's order.

The Respondent disobeyed the court order on the dates, times, and places, and in the manners described in, the attached Possession and Access Journal, labeled Exhibit B.

I ask the Court to hold the Respondent in contempt, and to jail, and fine the Respondent for each violation referred to above and incorporated by reference.

I believe that, based on the Respondent's behavior, the Respondent will continue to disobey the

court order.

I ask the Court to hold Respondent in contempt, and to jail and fine Respondent for each additional failure to comply with the court order from the date of this filing to the date of the hearing on this motion.

If the Court decides not to jail the Respondent, or the Court orders a partial commitment for the Respondent, I ask the Court to place Respondent on community supervision for five years on release from jail or suspension of commitment.

Contempt Based on the Failure to Disclose Contact Information

[Check this box if the Respondent was court ordered to notify you of changes in contact information, but has refused to do so.]

The court orders, attached as Exhibit A, state that:

EACH PERSON WHO IS A PARTY TO THIS ORDER IS ORDERED TO NOTIFY EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY OF ANY CHANGE IN THE PARTY'S CURRENT RESIDENCE ADDRESS, MAILING ADDRESS, HOME TELEPHONE NUMBER, NAME OF EMPLOYER, ADDRESS OF EMPLOYMENT, DRIVER'S LICENSE NUMBER, AND WORK TELEPHONE NUMBER. THE PARTY IS ORDERED TO GIVE NOTICE OF AN INTENDED CHANGE IN ANY OF THE REQUIRED INFORMATION TO EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY ON OR BEFORE THE 60TH DAY BEFORE THE INTENDED CHANGE. IF THE PARTY DOES NOT KNOW OR COULD NOT HAVE KNOWN OF THE CHANGE IN SUFFICIENT TIME TO PROVIDE THE 60-DAY NOTICE, THE PARTY IS ORDERED TO GIVE NOTICE OF THE CHANGE ON OR BEFORE THE FIFTH DAY AFTER THE DATE THAT THE PARTY KNOWS OF THE CHANGE. THE DUTY TO FURNISH THIS INFORMATION TO EACH OTHER, THE COURT, AND THE STATE CASE REGISTRY CONTINUES AS LONG AS ANY PERSON, BY VIRTUE OF THIS ORDER, IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT OR ENTITLED TO POSSESSION OF OR ACCESS TO A CHILD. FAILURE BY A PARTY TO OBEY THE ORDER OF THIS COURT TO PROVIDE EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY WITH THE CHANGE IN THE REQUIRED INFORMATION MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OR UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

As of today, Respondent has failed and refused to comply with the order and has willfully disobeyed the order of the Court by failing to notify the court and me of the changes in contact information, and failing to surrender the minor children to me on the above described dates.

I ask the Court to hold Respondent in contempt, and to jail and fine Respondent for each violation alleged above.

Further, I believe, based on the Respondent's behavior, that Respondent will continue to disobey the order.

I ask that the Respondent be confined in the county jail until Respondent complies with the

Court order. If the Court decides not to jail the Respondent, I ask the Court to place Respondent on community supervision for five years on release from jail or suspension of commitment.

6. Settlement Attempts [Check all that apply.]

I have tried to resolve this matter without court intervention.

I obtained Respondent's present residence address, and sent a letter to Respondent asking Respondent to contact me about this situation, but we were unable to reach an agreement.

I tried to settle this case in mediation.

Other [describe settlement attempts below]

7. Bond for Conformance

I ask the Court to order a bond to secure Respondent's compliance with the Court's order granting possession of or access to the children.

8. Make Up Visits

I ask the court to order additional time when I can have access or possession of the children to compensate for those periods denied by Respondent.

9. Clarification

I ask that, if the court finds that any part of the order I am trying to enforce is not specific enough to be enforced by contempt, the Court enter a clarifying order that clearly specifies the duties imposed on Respondent, giving Respondent a reasonable time within which to comply.

8. Prayer

I ask for the following relief:

that Respondent be held in contempt and punished;

that if the court decides not to jail Respondent, that the Court order Respondent to participate in a program of community supervision;

that the Court order Respondent to pay the costs of court to the Clerk of the Court;

that the Court order a bond or security for Respondent's future compliance with the Court's orders;

that the Court clarify any part of its prior order found not specific enough to be enforced by contempt; that the Court enter such further orders as it deems just, equitable, and appropriate for the purpose of facilitating compliance with the Court's visitation and possession orders;

that the Court enter such further orders as it finds are in the children's best interests;
that the Court enter such further orders as it deems necessary to transition the parties
back to the previously orders possession and access schedule; and
for attorney's fees, expenses, costs, and interest and further relief as authorized by law.

Respectfully submitted,

Sign above, but do not sign until you are -in front of a notary public

PRINT your full name.

Print your full address.

Write your email address above.

Write your phone number above.

Verification (You must sign below—in front of a notary.)

I swear under oath that the facts stated in this Motion to Enforce Possession and Access are true and correct.

→

Your signature [Do NOT sign until you are in front of a notary!]

Print your full name.

Notary fills out below.

State of _____
(Print name of state where this Petition is notarized)

County of _____
(Print the name of the county where this Petition is notarized)

Sworn to and subscribed before me, the undersigned notary, on this date: _____ / ____ / _____

by _____
(Print name of person who is signing this Petition. **NOT** the notary's name.)

[Notary Stamps Here]

Notary's Signature