Contempt of Court/Violations of Orders

Related Practices

Family Law and Divorce

- Adultery, Substance Abuse, or Domestic Violence
- Alimony and Spousal Support
- Business Assets
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- Contempt of Court/Violations of Orders
- Divorce Lawyer
- Modifications of Prior Agreements
- Prenuptial Agreements
- Property Division
- Qualified Domestic Relations Orders
- Restraining Orders
- Termination of Parental Rights

Despite the fact that a Family Court may issue a restraining order, it has been our experience that many spouses do not like to be told what to do by a Court.

Unfortunately, some spouses have anger management issues, severe narcissism, and psychological disorders and/or simply wish to hide assets from the other spouse for their own financial gain. Some spouses may be vindictive and attempt to alienate children from the other parent.

When the opposing spouse violates a Court Order, we may seek enforcement of the Order on behalf of our client by filing a Petition for a Rule to Show Cause. The Family Court then holds a hearing and makes findings of whether the spouse willfully violated the Order. The Family Court does not look favorably upon a person who has willfully violated a Court Order, and the guilty party may be held in either civil or criminal contempt, although civil contempt is the most frequent finding of the Family Court. Civil contempt sanctions are designed to compel the wrongdoer into following the Order. However, the Family Court will also look at the totality of the circumstances and it has the option not to issue sanctions if the violation was relatively minor.

To enforce an Order requiring a party to take or refrain from some type of conduct, the Family Court has the power to sanction the guilty party to compel compliance with the Court Order. This may include imposing sanctions of incarceration up to one year, fines, and/or community service. The Family Court also has the ability to award attorney's fees incurred as a sanction for contempt.

At Rosen Hagood, we have decades of experience in handling Rules to Show Cause on behalf of our clients to protect their interests.

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