

**Penobscot Indian Nation
Judicial System
etalı-təpəlómətımək**



**12 Wabanaki Way
Indian Island, Maine
04468**

PENOBSCOT NATION

Indian Island, ss

Docket No. _____

_____, Plaintiff

v.

_____, Defendant

MOTION TO ENFORCE

Child Support Only

Check (√) if only Child Support is involved
M.R. Civ. P. 110(A)(b)(6)(B) and 110B(d)

1. I am the Plaintiff Defendant in this case.
 Plaintiff now resides in (town) _____, (county) _____, (state) _____.
 Defendant now resides in (town) _____, (county) _____, (state) ____ **OR**
 Residence of the other party is unknown and I have used reasonable efforts to locate the other party.

2. The other party is failing or refusing to obey the Court's Judgment or Order, dated _____, concerning the following issues (*Please check the boxes that apply*)
- Child Support (fill out form FM-050, Child Support Affidavit)
 - Spousal Support (*Alimony*)
 - Primary Physical Residence of the minor child(ren)
 - Rights of Contact or visitation with the minor child(ren)
 - Distribution of Property
 - Responsibility for Debts
 - Other: _____

3. The other party has violated the Judgment or Order in the following ways:

If more room is needed, you may continue this statement on a separate sheet of paper which should be signed under oath and attached to this motion).

4. (Check √ here if this motion involves any children in the case and complete subparagraphs A through E. If no children are involved, go on to paragraph 5.)

A. Plaintiff and Defendant are the parents of the following child(ren):

<i>Name</i>	<i>Date of Birth</i>	<i>Present Address</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. List below where and with whom the child(ren) have lived within the past 5 years.

<i>Name and present address of Person Child(ren) lived with</i>	<i>Dates child(ren) lived with that person</i>	<u>Town and State</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- C. Plaintiff has not been involved in any way in, and has no information about, another court case in any state concerning the custody of the child(ren), except as follows:
- Protection from Abuse: _____
 - Other (describe what kind of other case): _____
- D. No one other than the parties has physical custody of the child(ren), or claims to have custody or visitation rights with respect to the child(ren), except as follows: _____
- E. (Check \surd all boxes that apply).
- (1) No public assistance benefits have ever been received for the child(ren).
 - (2) Public assistance benefits have been, are now, or will be received for the child(ren).
 - (3) The Department of Health & Human Service or the Penobscot Nation Child Support Agency **has** been contacted to review, change or enforce a child support order regarding the child(ren).

If you check box 2 or 3, you must send a copy of this motion to the Department of Health & Human Services, Support Enforcement Division, Central Office Supervisor, 11 State House Station, Augusta, ME 04333-0011 or Penobscot Nation Child Support Agency, P.O. Box 446, Old Town, ME 04468

5. **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 part to:
- A. Permanently stop disobeying the Judgment or Order in this case.
 - B. Obey and comply with the Judgment or Order in this case.
- _____
- _____
- _____
- C. Other (You must be specific about any other relief you are requesting): _____
- _____
- _____
- D. Pay my costs of this case, including reasonable attorney's fees.

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

Date: _____

Signature of Plaintiff Defendant

Address: _____

Phone: _____

STATE OF MAINE

_____ County

Personally appeared the above named Plaintiff Defendant _____
and made Oath that the foregoing statements, including those in any attached sheet(s), are true.

Before me,

Dated: _____

Attorney at Law/Notary Public/Deputy Clerk

IMPORTANT WARNING TO THE OTHER PARTY

You are hereby notified that, if you oppose this Motion, you must file with the Court a memorandum and any supporting affidavits or other documents no later than twenty (20) days after the filing of this Motion, unless another time period is provided by the Maine Rules of Civil Procedure or set by the Court.

You have the right to appear and be heard at all court events (trial, hearing, conference, mediation). If you fail to appear at any or all court events without good cause, action may be taken on 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 parentage, parental rights and responsibilities for children (custody, residence, contact, visitation, 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 show up. It is your own responsibility to be sure that the Court has your correct address. Any change of address must be in writing and delivered to the Clerk's office by hand or regular mail.

The Tribal Court is located at:

STATE OF MAINE

Indian Island, ss

County of _____

On _____ (date), I served the Motion to Enforce up Respondent by delivering a copy of same at the following address:

- to above-named Respondent in hand.
- to _____ (name), a person of suitable age and discretion who was then residing at Respondent's usual residence.
- to _____ (name), who is authorized to receive service for Respondent..
- by (describe other manner of service): _____

Costs of Service:

Service: \$ _____
Travel \$ _____
Postage \$ _____
Other \$ _____
Total \$ _____

Signature of person making service

Title

OR-----

I, the Plaintiff Defendant, have completed service by:

- Signed acknowledgment (form CV-036)
- Certified Mail, Restricted Delivery, Return Receipt
- Acceptance of Service