

THE QUICK LAW GROUP™

DIVORCE AND FAMILY LAW FOR WOMEN

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Jacksonville - St. Augustine - Winter Park

CONTEMPT AND ENFORCING COURT ORDERS

By Heather B. Quick

So often in divorce cases, women going through the process end up in mediation or in court. Either way, both parties must sign a binding agreement to certain terms, whether it's payment of alimony, child support and/or time sharing of the children. If the terms of the agreement are not followed the only way to enforce them is to go to court.

If you have a signed agreement, you have a court order. If this court order is not followed then your husband is in contempt of court. An example of this would be child support. If child support is not paid, then the opposing party is in contempt of court. Therefore, the question remains, "How do I enforce my ex to pay?" The answer is: "Go back to court". However, in the case of child support it is noteworthy to mention many states have child support enforcement. Some states are very aggressive in their pursuit of unpaid child support (or also alimony). You will need to take affirmative steps to enforce your orders. Unfortunately, Florida is not one of those states.

When seeking legal advice on child support or alimony enforcement, the attorney will ask if your ex is employed and if he has a job so it can be determined if wages can be garnished. The attorney will also look at if payment can be made automatic by the state. Unfortunately, this remedy is not always available, but if it is you should use it, since it eliminates the ex-husband/father's control of the funds.

A judgment is as valuable as the paper it is printed on. The court is going to make him pay if he has money to do so, but you may have to prove he has the ability to pay. The court may give him 30 days to pay and if not then jail time. Jail time is not for first offenders, however if he repeatedly does not pay then that option is on the table.

Attorneys need to be very strategic in planning an enforcement. They must look at everything involved. The main decision that the client needs to make is if she is ready emotionally, mentally, and financially to move forward. She needs to decide if she is not willing to continue to be bullied and allow the father of her children to shirk his responsibilities and completely defy court orders.

Judges do have the power to send people to jail. Since I represent women, I've seen many men go to jail for failing to meet their responsibilities and court ordered obligations. Don't ever underestimate a judge's power. This is why women need to seek legal counsel and say, "Okay, I'm deciding, I'm going to move forward. I know that it is time for me to stand up for my children and myself. I came to an agreement, we both compromised on things and this was what he's agreed to pay me and our children and he's not doing it."



THE QUICK LAW GROUP
CEO Heather B. Quick

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I tell most of my clients that he doesn't think you will take him back to court because look at the patterns of your relationship when you were married. Did you stand up for yourself? Did he renege on promises or talk his way out of it? It's very unlikely that he thinks you are really going to go stand up for yourself and take him back to court.

It is important to understand when you have a court order, you have something you've agreed to and you can hold your ex-husband, the father of your children, accountable. If he's agreed to pay you alimony, if he's agreed to give you the proceeds from the house and/or the retirement, all these things he's supposed to do, you are entitled to it and your attorney will get a judge to make him pay. You just have to be willing to stand up for yourself and go for it and say, "You know what? This is what I'm entitled to and I am emotionally and financially ready to stand up for myself."

Many women ask, "I need to come in and find out how can I enforce this order? How can I move forward with my life?" They want to know how to hold their ex accountable for what he agreed to or what the judge told him to do. The paper is only as good as your willingness to enforce it. Once you make the decision that you're going to hold him accountable and move forward, your attorney can then go through the process and evaluate what is necessary to enforce different agreements.

What I hate to see is women who go years without their needs being met. Women get their settlement agreement, get divorced, and then the ex-husband walks away. The ex does nothing he has agreed to that the judge signed off on. It is at this time that I ask women to stand up and take that initiative to enforce it. Women need to stand up for themselves and not be bullied by an ex who refuses to follow court orders.

For more information on contempt and enforcement of court orders please contact us at TheQuickLawGroup.com.



The Quick Law Group attorneys attend the Jacksonville Women Lawyers Association Annual Reception held at the U.S. Assure Club at Everbank Field with fellow colleagues.

QLG Events in Jacksonville

DAWN

Divorce Aftercare Women Need

September 5, October 3 and November 7

DAWN was created to INSPIRE, EMPOWER, & SUPPORT women who are going through divorce or are already divorced, but not experiencing life the way it should be led-joyfully, peacefully, hopefully. The Quick Law Group has partnered with Sharon Williams, an ordained minister and founder of the non-profit organizations Go to Nations and Act 4 Nations, to facilitate the time and place for this free support group to meet. All women going through or recovering from divorce are invited to be a part of DAWN. This group meets the first Tuesday of the month at The Quick Law Group office.

Log on to TheQuickLawGroup.com/events.

**The Quick Law Group
Named Top 20 of
Jacksonville's Top 50
Fastest Growing
Companies**



The Jacksonville Business Journal named The Quick Law Group to the top 20 of their 50 fastest growing companies list for Jacksonville in 2017. The companies have been selected based on average annual revenue growth over the past three years. This list was created by the Jacksonville Business Journal with the help of Ennis, Pellum & Associates CPAs.

CEO and owner of the firm, Heather Quick states, "It is an honor to be recognized for our ingenuity, hard work and creativity. I am proud to receive this award as it accredits the knowledge, teamwork and dedication my staff has."

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