

**FILING TO ENFORCE A CHILD SUPPORT OR VISITATION
ORDER WITHOUT PAYMENT OF FFES
(CHILD SUPPORT OR VISITATION CONTEMPT)**

There is no filing fee for filing an Affidavit and Application for Order to Show Cause in an action to enforce an order for child support or visitation. However, there will be a cost to have the papers served on the other party by the sheriff.

If you cannot afford these costs, Nebraska law allows you to ask the court to have the county pay your costs. In order to have the county pay for the costs in the case, an Affidavit (a paper signed under oath and before a Notary Public) must be given to the court that shows the court why you are unable to pay the costs.

Enclosed in this packet is a form entitled "[Affidavit and Application to Proceed In Forma Pauperis \(Child Support or Visitation Contempt\)](#)" and a form entitled "[Order to Proceed In Forma Pauperis \(Child Support or Visitation Contempt\)](#)" for the court to sign that allows you to proceed without the payment of costs.

To qualify to have your costs paid by the county, you must show to the court that you cannot afford to pay those costs, and that you have no other reasonable way to pay for such costs.

If you wish to ask the court to waive costs, here is what you must do:

- Prepare the following forms:
[Affidavit and Application to Proceed In Forma Pauperis \(Child Support or Visitation Contempt\)](#),

[In Forma Pauperis Order \(Child Support or Visitation Contempt\)](#),

For instructions on how to prepare these two forms, see:

[Instructions for Filling out the Affidavit and Application to Proceed In Forma Pauperis \(Child Support or Visitation Contempt\)](#),

and

[Instructions for Filling out the In Forma Pauperis Order \(Child Support or Visitation Contempt\)](#).

- Take the above two forms with you when you go to court to file your [Affidavit and Application for Order to Show Cause \(Child Support Contempt\)](#) or [Affidavit and Application for Order to Show Cause \(Visitation Contempt\)](#).

- When you go to the Clerk of the District Court to file your case, tell the Clerk that you want to ask the court to waive your service fees. The Clerk should direct you to a judge who will review your [Affidavit and Application to Proceed In Forma Pauperis](#).
- If the judge is satisfied that your request is reasonable, the judge will sign the Order. Take the Order back to the Clerk of the District Court and file your [Affidavit and Application for Order to Show Cause \(Child Support\)](#) or [Affidavit and Application for Order to Show Cause \(Visitation Contempt\)](#). There will be no service fees charged to you if the judge signs the Order.
- If the judge does not sign the Order, you will have to pay the service fee in order to have your Order to Show Cause served on the other party.

If you use these forms and the judge has problems with any of them, we would like to hear about it. Please e-mail the State Court Administrator's Office with reports of any problems.

The e-mail address is:

janet.bancroft@nebraska.gov