

*Commonwealth of Massachusetts*  
Bristol County Probate & Family Court



**Gina L. DeRossi**  
*Register of Probate*

## COMPLAINT FOR CONTEMPT

Use these instructions if:

- ✓ There is a court order or judgment issued by the Bristol County Probate & Family Court.
- ✓ The other party has failed to comply with the court order or judgment.
- ✓ You are now asking the Court to enforce the previous court order or judgment.

**STEP 1:** COMPLETE THE FORM: Fill out the form completely using permanent black ink. You may also complete and type the form on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com). Be sure to put your case's correct docket number on the top right hand corner of your form, where indicated.

✓ **COMPLAINT FOR CONTEMPT**

1. You are the Plaintiff and the other person is the Defendant.
2. You must reference the original case docket number. This is the number from which the Contempt Complaint stems.
3. In paragraph 1, fill in your full street address and the defendant's full street address.
4. In paragraph 2, complete the date of the prior court order or judgment with which you claim the defendant is not complying. Check the appropriate boxes for the nature of the Order. Complete where necessary.
5. Check the appropriate box and detail the date(s) of the defendant's non-compliance at the bottom. At the bottom, make sure you date and list your full name, address and telephone number.

**STEP 2:** MAKE COPIES: Make a copy of the completed form prior to filing it. Keep the copy for yourself.

**STEP 3:** FILE THE PAPERS: Take the original form and deliver or mail the original form to the Registry of Probate for processing at 40 Broadway, Suite 240, Taunton, MA 02780.  
**NOTE: You will need to file a \$5.00 fee for the Summons.**

The fee may be payable by money order or personal check to the Registry of Probate. If the documents are filed in person at the Probate & Family Court Registry at 40 Broadway, Suite 240, Taunton, MA 02780, you may also pay by cash or major credit card.

**STEP 4:** **RECEIVE A SUMMONS FROM THE COURT:** Once you have filed the appropriate papers with the Registry you will receive a *Contempt Summons* in the mail. **YOU** must arrange for the *Summons* and other forms to be served upon the other party to the case by hiring a Sheriff or Constable. **YOU MAY NOT** serve them yourself. Separate Instructions on How to Serve a Contempt Summons are available at the Registry or on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com).

***Please Note:*** The *Contempt Summons* will contain your Hearing Date, Time and Court Location. Please make a note of the date, time and location of your hearing before you give the paperwork to the process server. The Defendant **MUST** be served a minimum of seven (7) days before the scheduled hearing court date, excluding dates of service and hearing.

**STEP 5:** **RETURN THE SUMMONS:** After the other party has been served all the necessary papers, **YOU** must return the *original Summons* and *Return of Service* to the Registry before the hearing date. If the hearing date is too close to ensure receipt of the Return of Service to the Registry, you may bring it with you on the date of your Contempt hearing.

***Please Note:*** The Contempt **WILL NOT** be heard without proof of service.

**STEP 6:** **UNABLE TO MAKE SERVICE:** If the Sheriff or Constable is unable to make service on the Defendant, **YOU** may mail the “un-served” original *Summons* and the copies of the Complaint to the Registry and request in writing that a new Summons be issued. **NOTE: You must include an additional \$5.00 for a new summons to be issued.**

**Please be advised that the information in this pamphlet is provided as a service of the Bristol County Probate & Family Court Registry and does not constitute legal advice which can only be given to you by an attorney.**

Bristol County Probate & Family Court Registry  
40 Broadway, Suite 240  
Taunton, MA 02780  
(508) 977-6040  
[www.BristolCountyProbate.com](http://www.BristolCountyProbate.com)