

Enforcement/Contempt (Family Law) Research Guide

Overview

The Law Library frequently gets questions about patrons wanting to enforce a court order or hold someone in contempt in family law cases. This research guide includes information and resources related to family law issues: enforcement of child custody, visitation, and property division. For spousal maintenance or alimony, see its separate research guide. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Child Support, Child Support Lien, QDRO, Spousal Maintenance, Possession Orders

Statutes & Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Family Code

- §8.059 Enforcement of Maintenance Order
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.8.htm#8.059>
- Ch. 9 Post-Decree Proceedings
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.9.htm>
- Ch. 157 Enforcement (SAPCR)
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.157.htm>

Texas Code of Criminal Procedure

- Ch. 23 The Capias
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.23.htm>

Secondary Resources in Print

Texas Family Law Practice Manual REF KFT 1294 .T4S7

- Vol. 2, Ch. 31 Enforcement - Property
- Vol. 2, Ch. 33 Enforcement – Child Support
- Vol. 2, Ch. 34 Enforcement – Possession and Access
- Vol. 2, Ch. 35 Contempt
 - Form 35-2 Order for Capias [and Setting of Bond]
 - Form 35-3 Capias

Texas Family Law Practice and Procedure REF KFT 1294 .F35

- Objective I: Modifying and Enforcing Spousal Support
- Objective J: Enforcing Child Support Decree
- Objective K: Enforcing Conservatorship Decree
- Objective L: Enforcing Property Division
- Objective M: Handling Interstate Support Enforcement and Modification
- Objective N: Defending Against Enforcement Proceedings

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 22, Ch. 364 Post-Dissolution Property Suits
- Vol. 23, Ch. 372 Enforcement of SAPCR Orders

O'Connor's Texas Family Law Handbook REF KFT 1294 .A291 O26

- Ch. 10 Enforcing Child-Support Orders
- Ch. 11 Enforcing Orders of Possession or Access

O'Connor's Texas Family Law Forms REF KFT 1294 A65 W55

- Ch. 16 Enforcing Child-Support Orders
- Ch. 17 Enforcing Orders of Possession or Access

- Form 17B:1 Enforcement by Contempt – Motion
- Ch. 18 Enforcing Property Division

CLE Materials

Advanced Family Law Course KFT 1294 .S83

- 2022 Ch. 16 Enforcement and Contempt: Pleadings, Techniques, and What to Do (and Not Do) *(PDF only)*
- 2022 Ch. 59 Orders with Bite – Drafting Orders with an Eye for Enforcement *(PDF only)*
- 2021 Ch. 9 Enforcement Demonstration – The Right Way to Do It and Mistakes Not to Make
- 2020 Vol. 1, Ch. 6 Enforcement with Contempt
- 2019 Vol. 1, Ch. 2 The Great Divide [Part Three] Property Case Update, Section V – Enforcement, p. 9
- 2019 Ch. 27.1 UCCJEA, UIFSA, and UPA Made Easy – UCCJEA, Section XIV. Enforcement, p. 14-19
- 2019 Ch. 31 Child Support and Possession Enforcement Trial Demonstration Facts
- 2019 Ch. 43 Making Them Pay: Enforcement of Property Divisions
- 2018 Vol. 1, Ch. 3 Supreme Court of Texas Update, Section D – Interference with Child Possession, p. 28
- 2018 Ch. 18 Crossing Borders: Jurisdiction and Enforcement of Judgments and Agreements
- 2018 Ch. 24 Enforcement of Property Division and Spousal Maintenance
- 2017 Ch. 23 Enforcement of the Property Division
- 2017 Ch. 38 Contempt Demonstration
- 2016 Ch. 32 Contempt Enforcement “Trial Demonstration”
- 2016 Ch. 55 Rule11s, ISAs, MSAs, & Enforcement
- 2015 Ch. 28 Child Support Enforcement – It Only Takes One
- 2015 Ch. 37 I Want My Stuff: Property Enforcement (Chapter 9 Remedies)
- 2014 Ch. 15 Premarital and Marital Agreements, Section A:5 Contesting Enforcement, p. 5-15
- 2014 Ch. 44 Contempt Trial Demonstration

- 2013 Ch. 1 “Mine! Mine!” Property Case Law Update, Section V. Enforcement of Property Division, p. 16-22
- 2011 Ch. 36 Beyond Contempt – Enforcing SAPCR Orders

Advanced Family Law Drafting KFT 1294 .A92

- 2013 Ch. 14 Enforcement and Contempt Essentials
- 2008 Ch. 18 Drafting Issues in Enforcement Actions (Includes forms on pages 9-20)
- 2001 Ch. 7 Enforcement

Litigation Update Institute KFT 1738 .A2S7

- 2015 Ch. 5 Contempt of Court

Family Law 101 KFT 1294 .A75 F351

- 2016 Ch. 6 Enforcement of Orders by Contempt – Criminal Trial in the Family Court

Marriage Dissolution Institute KFT 1300 .M372

- 2018 Ch. 14 Have Child, Will Travel: UCCJEA and Enforcement Under the Hague Convention

Online Resources

For information about how to enforce your visitation or possession order, call the Access and Visitation Hotline at 866-292-4636 or go to their website: www.txaccess.org.

Application for Enforcement of Visitation Rights (Tarrant County DRO Forms)

<https://www.tarrantcountytexas.gov/en/domestic-relations-office/legal-enforcement/forms.html>

Visitation Journal for Visitation Enforcement (TexasLawHelp.org)

https://texaslawhelp.org/sites/default/files/visitation_journal_oct2017.docx.pdf

Visitation Enforcement: How to Write a Visitation Demand Letter and Keep a Visitation Journal

<https://texaslawhelp.org/article/visitation-enforcement-how-to-write-a-visitation-demand-letter-and-keep-a-visitation-journal>

Enforcing a SAPCR (Texas State Law Library)
<https://guides.sll.texas.gov/child-custody-and-support/enforcing-a-sapcr>

Enforcement vs. Contempt in Texas: The Same but Different (Attorney Blog)
<https://www.bryanfagan.com/blog/2024/june/enforcement-vs-contempt-in-texas-the-same-but-di/>

How to File a Motion for Enforcement in Texas (Attorney Blog)
<https://www.bryanfagan.com/blog/2018/march/how-to-file-a-motion-for-enforcement-in-texas/>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)

