

## **Florida Divorce: Contempt or Modification?**

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As a Jacksonville, Florida [divorce attorney](#), I recognize the reality that most divorces are never final. If the divorce has the following components: alimony, child support, debt distribution, marital home division, etc., it is likely an issue will arise after the divorce is "over". Your options, if any of the above payments or ordered actions stop, is to file a Motion for Contempt against the other party. However, if you are the payor or the offending party and the reason you have ceased action per the court order is for reasons outside your control (loss of employment, injury, etc.), then you have the option to file a Supplemental Petition to Modify the prior order.

Contempt is when one is voluntarily not complying with a court order. If the individual is found in contempt, the non-offending party can ask for attorney fees and costs be paid by the one in contempt. Also, if the party is held in contempt fines can be assessed and, depending on the severity, jail time can be ordered.

Modification of an order is when one's circumstances have involuntarily and substantially changed. In today's economy modifications are prevalent. In Florida, [child support](#) is simply a statutory calculation based on the incomes of the parties. If the income of one party has been decreased or increased by more than 15%, then that is a substantial change and a petition for modification should be filed. Do not become the victim of circumstance, take a proactive approach and modify your divorce order before you are held in contempt. If you have been the receiving end of someone not complying with a court order or you are experiencing a change in your circumstance that could lead to a modification, do not hesitate to look into your options. [Attorneys](#) can help explain your rights and the best course of action for you to take.