

NOTE: Use this post-judgment remedy if the obligor does not have a verifiable source of income or real property against which to place a lien but you believe s/he has attachable assets. Good remedy for the self-employed. Rule 69 Questions may be tailored to the case. The results of this process may provide information relating to the non-custodian's parent financial status.

STEP 1	<ul style="list-style-type: none"> • Schedule a time and day to conduct the Rule 69 Hearing based on the court's policy and the CSE attorney's availability • Generate through Document Generation the CSE 836(A-D) Subpoena to Produce packet. This includes the following documents: <ul style="list-style-type: none"> A Subpoena to Produce A Notice of Hearing • The "Subpoena" should request the obligor to bring to the hearing any documentation relevant to the obligor's situation • Subpoena of bank records/statements, personal and business, can help track non-custodial parent ability to pay. • Consider subpoena of non-custodian's phone records for possible subpoena of customers. • Consider subpoena at least 3 years past income returns with any 1099 attached. • After the CSE signs the CSE 836 (A-D) packet, file an original with the court. Request a date-stamped copy be returned to you.
STEP 2	<ul style="list-style-type: none"> • Send the original and two copies of the packet out for service of process. • The obligor must be served 20days prior to the hearing date.
STEP 3	<ul style="list-style-type: none"> • If the obligor appears at court, conduct the hearing. • If the obligor fails to appear after being properly served, request that the court issue a bench warrant for his/her failure to appear. • If the obligor is not properly served, vacate the hearing. • Determine what action is appropriate based on the obligor's current situation. • Note: information that is obtained from the obligor can be used in the future for contempt actions, liens and judgment filing. Set liens on property. Set liens on real property for non-custodial parent or business, such as tools or company vehicle. • Identify possible aliases for non-custodial parent.
Optional STEP 4	<ul style="list-style-type: none"> • Consult with County Attorney. If Rule 69 reflects party has ability to pay the county attorney may request the court to order the party to surrender on the person, such as cash, jewelry, keys to vehicle, etc.
<p>Post Rule 69: Answers to Rule 69 may be used to determine next course of action, such as possible modification of order, addressing barriers, referral for access/visitation, referral for employment or other services, financial counseling, referral to fatherhood/motherhood programs, or arrange payment plan.</p>	