



Understanding Motions to Enforce

A motion to enforce asks the court to make a party follow the terms of an existing court order or settlement agreement. It focuses on getting things done, not on punishment.

Common examples

- 1 Signing Documents.** Requiring a party to sign deeds, titles, or other paperwork the agreement calls for.
- 2 Transferring Property.** Making sure vehicles, real estate, or personal items change hands as ordered.
- 3 Dividing Retirement Accounts.** Completing the special orders needed to divide a 401(k) or pension.
- 4 The Marital Home.** Enforcing deadlines to refinance a mortgage or to list and sell the home.
- 5 After Mediation.** Often filed when mediation ends in a signed Mediated Agreement, but one party refuses to sign the full Settlement Agreement, Parenting Plan, or Child Support Addendum.

How it differs from contempt

Focus. Contempt asks whether a party should be punished. A motion to enforce asks the court to secure compliance.

Willfulness. Contempt generally requires showing the violation was willful. A motion to enforce may not.

Possible Remedies. The court may order specific actions, set deadlines, and in some cases award attorney fees.

What to keep in mind

The court cannot rewrite your agreement. It can only enforce the terms as written.

Good records help. Keep copies of messages, payments, and requests related to the order.

Many issues resolve through communication between attorneys before a motion is needed.

Raise problems early. Waiting can make enforcement harder.

If a motion to enforce is filed against you, completing what the order requires is often the fastest resolution.

This guide provides general information about motions to enforce in Georgia family law matters and is not legal advice about your specific case. Your attorney will explain how enforcement applies to your situation.

YOUR ROLE

Let us know as soon as any deadline in the order is missed, send us copies of related messages and records, and keep meeting your own obligations under the order.

QUESTIONS?

As always, all questions and requests should be directed to the team via email to team@pepitone.law.