

4A-123. Interim order allocating income and expenses.

[For use with Rule 1-122 NMRA in the District Court]

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, Petitioner,

v.

No. _____

_____, Respondent.

INTERIM ORDER ALLOCATING INCOME AND EXPENSES¹

This matter having come on for a hearing by the court and the court being sufficiently advised **FINDS, CONCLUDES AND ORDERS:**

1. NOTICE AND APPEARANCES

(check only applicable paragraphs)

- Petitioner was present.
- Petitioner was represented by counsel.
- Respondent was present.
- Respondent was represented by counsel.
- Respondent was properly served with a copy of the notice of hearing on the motion for temporary order dividing income and expenses.

2. The parties have agreed to the income and expenses of the parties except:

_____.

3. The parties shall receive the income and pay the expenses as listed on the Interim Monthly Income and Expense Statement.

4. Each party shall presumptively be responsible for any debts the party incurs during the pendency of this case.
5. Any assets obtained by either party after the entry of this order from that party's share of net spendable income are presumptively the separate property of the obtaining party.
6. Each party shall use the party's share of the income to pay the party's respective expenses for food, clothing, telephone, utilities, gasoline, car maintenance, entertainment, meals out, haircuts, attorney fees, ordinary medical and dental expenses and other personal expenses.
7. _____ (*name of party*) shall pay to _____ (*name of party*) _____ dollars (\$ _____)² per month by check or money order, delivered or postmarked on or before the _____ of each month during the pendency of this case.
8. The medical and dental expenses of the child or children not covered by insurance shall be paid one-half by each party.
9. Notwithstanding entry of this order, all claims and defenses are preserved.
10. This order shall remain in effect during the pendency of this case except as modified by court order.
11. Disobedience of this order can constitute contempt of court and subject the violator to fine, imprisonment and other sanction, plus payment of attorney fees and costs to the other party.

District judge

Recommended by:

Hearing officer

Attorney for petitioner

Attorney for respondent

CERTIFICATE OF MAILING

I _____, certify that I caused a copy of this report and recommendations to be served on the following persons by (delivery) (mail) on this _____ day of _____, _____:

(1) _____
(*Name of party*)

(2) _____
(*Name of party*)

Attorney

USE NOTE

1. This form is used with Domestic Relations Form 4A-122 NMRA.
2. For the amount to be transferred or paid, *see* Line 12 of Domestic Relations Form 4A-122 NMRA.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001.]