

4A-302. Petition for dissolution of marriage (*with children*).

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, Petitioner

v.

No. _____

_____, Respondent

PETITION FOR DISSOLUTION OF MARRIAGE¹
(with children)

I, _____ (*person listed as petitioner above*), am the petitioner
in this case and I am married to _____ (*person listed as respondent above*).

We are married and wish to get a divorce. We ask the court for a Final Decree of Dissolution of
Marriage ("final decree") granting us the divorce.

(Use applicable alternatives and complete.)

1. [One of us has] [Both of us have] been living in New Mexico for at least the past six (6)
months. Husband lives in _____ County. Wife lives in _____
County. Venue is proper because one of us lives in the county listed in the case caption
above.
2. We were married on _____ (*date*). We are now incompatible.
3. We have thought carefully about our property, debts and our duties to each other.

4. We understand that we are making very important decisions that affect our rights and obligations. Both of us have completed and signed a Verified Marital Settlement Agreement ("agreement") and ask the judge to accept our agreement. We understand that once the judge signs the Final Decree of Dissolution of Marriage, we will be ordered to do the things in the agreement.
5. We each have gotten the help we thought was needed in order to sign this document.
6. We each have copies of all documents filed with the court. No one needs to serve any of the documents on us. We agree that this court has power to make orders about us in this case.
7. The agreement is a fair and complete division of our assets and debts.
8. We have or are expecting _____ (*total number*) minor [child] [children] from this marriage. We are filing the Parenting Plan and Child Support Obligation ("parenting plan") at the same time as we file this petition. The parenting plan is fair and complete.
9. Our children² are: (*You must include the name and the date of birth for each minor child. You must also provide each address of each child for the last five (5) years. Use a separate sheet if necessary.*)

Name: _____

(*Last name, first, and middle*)

Date of birth: _____

Present address:

_____ (*street*)

_____ (city)

_____ (state and zip code)

Next previous address:

_____ (street)

_____ (city)

_____ (state and zip code)

Next previous address:

_____ (street)

_____ (city)

_____ (state and zip code)

Name: _____

(Last name, first, and middle)

Date of birth: _____

Present address:

_____ (street)

_____ (city)

_____ (state and zip code)

Next previous address *(if applicable)*:

_____ (street)

_____ (city)

_____ (state and zip code)

Next previous address (if applicable):

_____ (street)

_____ (city)

_____ (state and zip code)

10. Our [child has] [children have] lived in New Mexico since birth or for at least the past six (6) months.

(complete if applicable)

11. The following divorce, separation, order of protection, child support, paternity, abuse or neglect, domestic violence, termination of parental rights and adoption cases have been previously filed by me, the respondent or the state (list all cases):

Type of case: _____

Year filed (if known): _____

Case number (if known): _____

Where filed: _____ (city)

_____ (state)

_____ (court)

Type of case: _____

Year filed (if known): _____

Case number (if known): _____

Where filed: _____ (city)

_____ (state)

_____ (court)

12. Does anyone else other than you as parents of your [child] [children] have or say they have:
Custody of your [child] [children]?

Yes No

Visitation rights with your [child] [children]?

Yes No

If you answered both questions "No", go to next section.

If you answered "Yes" to either question, complete the following information:

_____ (Name of person)

_____ (Address)

_____ (Name of person)

_____ (Address)

13. We understand that once the judge signs the final decree, we will be ordered to do the things
we agreed to do in the parenting plan.

When I sign here, I am telling the judge that I have read this document and agree with
everything in it. I state upon my oath or affirmation that this document and the statements in it are
true and correct to the best of my information and belief.

Petitioner's signature

Address:

Telephone:

Respondent's signature

Address:

Telephone:

STATE OF NEW MEXICO)

) ss.

COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this _____ day of _____, _____
by _____, the petitioner.

My commission expires:

Notary Public

STATE OF NEW MEXICO)

COUNTY OF _____) ss.
)

Acknowledged, subscribed and sworn to before me this _____ day of _____,
by _____, the respondent.

My commission expires:

Notary Public

USE NOTES

1. Use this form if the husband and wife are the parents of one or more minor children or a child under 19 years of age attending high school. Use Domestic Relations Form 4A-301 if there are no minor children. *See* Domestic Relations Forms 4A-204 and 4A-205 NMRA for an explanation of the forms required to be filed in an uncontested divorce when there are children. Print or type the information required to be completed on this form. This form may be downloaded from either of the following judicial web sites: *www.supremecourt.nm.org "legal forms", "domestic relations forms"* or *www.nmcourts.com, "Family Law Forms"*.
2. The statements regarding children are required to comply with the requirements of the Uniform Child-Custody Jurisdiction and Enforcement Act ("UCCJA"). For provisions of the Uniform Child-Custody Jurisdiction and Enforcement Act, *see* Sections 40-10A-101 to 40-10A-403 NMSA 1978.
3. After completing this petition, both husband and wife must sign their names before a notary prior to filing the petition with the court. A completed Domestic Relations Information Sheet (for self represented people), Domestic Relations Form 4A-102 NMRA must also be filed with this form.

[Approved effective November 15, 2002.]