

DISSOLUTION OF MARRIAGE WITH CHILDREN	NEEDED ✓
Watch <i>Court Case Basics</i> video	✓
Watch <i>Appearing in Court</i> video	✓
Watch <i>Resources</i> video	✓
See <i>Supreme Court Representing Yourself – Basic Information</i> guide	✓
See Supreme Court <i>Dissolution of Marriage</i> guide	✓
See <i>Domestic Relations; Instructions and Cautions Regarding Use of Forms</i> (Form 4A-100)	✓
My Spouse and I want to file for divorce and <u>WE AGREE</u> on all matters. What do we do?	
• Complete and file a Domestic Relations Information Sheet (Form 4A-101).	✓
• Complete and file a Petition for Dissolution of Marriage (with children)(Form 4A-103) (signed by Petitioner only)	✓
• Complete and file Custody Plan and Order (Form4A-302)(signed and notarized by both parties).	✓
• Complete and file a Child Support Obligation and Order (Form 4A-303), and a Child Support Worksheet* (signed and notarized by both parties).	✓
• You may complete and file a Wage Withholding Order (Form 4A-303).	<i>Optional</i>
• Complete and file a Marital Settlement Agreement (Form 4A-301)(signed and notarized by both parties).	✓
• Submit a Final Decree of Dissolution of Marriage (Form 4A-306)(signed by both parties) to the Clerk’s office.	✓
• Pay filing fee of \$137 (exact cash, cashier’s check or money order) (see below if you cannot afford the fee).	✓
I want to file for a divorce and my spouse and I <u>DO NOT AGREE</u> on all matters. What do I do?	
• Complete and file a Domestic Relations Information Sheet (Form 4A-101).	✓
• Complete and file a Petition for Dissolution of Marriage (with children)(Form 4A-103).	✓
• Complete and submit a Summons.	
• The Clerk’s office will issue the Summons and a Temporary Domestic Order. Have the opposing party served with a copy of the Summons, Petition for Dissolution of Marriage, and Temporary Domestic Order (see Service of Process).	✓
• Pay filing fee of \$137 (exact cash, cashier’s check, or money order).	✓
I can’t afford to pay the filing fee. What do I do?	
• Complete an Application for Free Process and submit along with a proposed Order to the court.	✓
• If you receive public benefits, attach proof of your benefits to the Free Process application	✓
I received the Return of Service. What do I do with it?	
• File the Return of Service with the Clerk’s office.	✓
The opposing party did not file a Response and it has been more than 30 days. What do I do?	
• Complete and file an Affidavit as to Respondent’s Failure to Plead or Otherwise Defend (Form 4A-311).	✓
• Complete a Certificate as to the State of the Record (Form 4A-312) (for the Clerk to issue) and a self-addressed stamped envelope to the Clerk’s office.	✓
• After you receive the completed Certificate as to the State of the Record from the Clerk’s office, complete and file with the Clerk’s office an Application for Default Judgment and Final Decree of Dissolution of Marriage (Form 4A-313), and a Default Judgment and Final Decree of Dissolution of Marriage (Form 4A-315)	✓
I need child support while my divorce is pending. What do I do?	
• File a Motion and Request for Hearing. See Motions, Hearings & Enforcement of Orders.	✓
We have property that is either separate and/or joint. What do we do?	
• Both you and your spouse must exchange within 45 days an Interim Monthly Income and Expense Statement (Form 4A-212).	✓
• Both you and your spouse must exchange within 45 days a Community Property and Liabilities Schedule (Form 4A-214).	✓
• Both you and your spouse must exchange within 45 days a Separate Property and Debts Schedule (Form 4A-215).	✓
• Complete and file with the Clerk’s office a Notice of Compliance (Form 4A-208).	✓

FAQs

I want to see my children while our divorce is pending. What do I do?
• You can file a Motion and ask the Judge to address this issue. See Motions, Hearings & Enforcement of Orders.
I want to talk to the judge and have the judge address some or all of the issues. What do I do?
• Complete and file a Motion and a Request for Hearing. See Motions, Hearings & Enforcement of Orders.
How do I get my case referred to mediation?
• See Mediation checklist.

*Complete Child Support Worksheet electronically, then print. Go to www.nmcourts.gov → Self-Help → Self-Help Guide

Forms & Videos are available on the Court’s website at: www.12thdistrict.net