

YOUR DIVORCE CASE

**DISSOLUTION OF MARRIAGE
with minor children**

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A DO-IT-YOURSELF GUIDE

Including Helpful Forms

HOW TO BEGIN A DIVORCE CASE

YOUR FUTURE AND YOUR CHILDREN'S FUTURE MAY DEPEND ON THE OUTCOME OF YOUR CASE. YOU SHOULD CONSIDER USING A LAWYER TO ENSURE THAT YOUR RIGHTS ARE FULLY PROTECTED.

HOWEVER, IF YOU DO NOT WISH TO USE A LAWYER, THE COURT PROVIDES A "CHECKLIST" FOR A SIMPLE DIVORCE.

THE CHECKLIST IS NOT INTENDED TO BE COMPREHENSIVE OR APPLICABLE TO EACH AND EVERY CASE. THEY ARE INTENDED ONLY AS AN AID IN UNDERSTANDING AND COMPLYING WITH COURT PROCEDURE.

THE CHECKLIST IS NOT "GUARANTEED" IN ANY WAY.

A Checklist for Divorce (with children):

1. Docketing Information Sheet [LR1-Form E]

This is an information sheet to alert the court that CHILDREN are involved in the legal case. It should be filled out as completely as possible. When completed, give it to the Clerk of the Court along with all the other papers.

2. Petition for Dissolution of Marriage

This is the formal request for the court to DISSOLVE the marriage, resolve any questions regarding the CHILDREN as well as clear up any disputes about PROPERTY and DEBT. A copy of the Petition must be promptly served upon the other party [called the Respondent]. [See “Service” Section]

3. Temporary Domestic Order

This is a court order which is issued to help the parties while the case is being resolved. The Temporary Domestic Order [or “TDO”] makes provision for keeping the peace, caring for the children and keeping the bills up. The TDO must be promptly served upon the other party.

The TDO also arranges for two very important meetings with the court:

A. An INFORMATION SESSION on CHILDREN and SEPARATION to alert you to changing parental roles while the divorce is happening. This session is MANDATORY.

B. An INTERIM SUPPORT and EXPENSE hearing to establish responsibility for sharing the income of the parties and to make sure the bills are paid. This hearing is MANDATORY.

4. Summons and Return of Service

A SUMMONS is notice given to the Respondent that a formal written response must be filed with the court within 30 days after the Summons, Petition and TDO are served. If there is no response after proper service, the Judge can then enter a Default Decree.

SERVICE IS VERY IMPORTANT

“Serve” means placing the PETITION [as well as the SUMMONS and TEMPORARY DOMESTIC ORDER] in the hands of the other party; in other words, service must be personal. Mailing the papers is NOT good enough, even if it’s certified mail.

Anyone who is over 18 and who is not a party to the case may serve the papers. That means you -- the Petitioner -- CANNOT serve the papers yourself. The Sheriff’s Office or a professional process server can serve but they usually charge a fee. If the court has already found that you can’t pay court fees, the Sheriff will serve the papers for free.

To prove service, ask the person performed service to complete a RETURN OF SERVICE and then make sure the Return of Service is filed with the Clerk of the Court.

5. After a RESPONSE is filed, you may request a hearing using a REQUEST FOR HEARING form. See the Judge’s Trial Court Assistant for help on requests for hearing and notices of hearing.

If no written response has been filed within 30 days of service, you may apply to the Court for a “Default Decree.”

6. The parties must develop a PARENTING PLAN by the time the Final Decree is entered. You may develop your own Parenting Plan so long as it is specific and complete. A sample Parenting Plan is available in this Packet.

If you don't develop a Parenting Plan very soon after the legal case is filed, the court will order you to attend MEDIATION at the Family Court Services. Mediation is not free but the fee is based upon your income. Two or three sessions are usually enough but sometimes more sessions will be required.

7. If your debts and property are large or complicated, you may wish to develop a MARITAL SETTLEMENT AGREEMENT with detailed provisions for distributing property and debts. Because no case is alike, the court cannot offer you a sample Marital Settlement Agreement.

8. When all your disputes have been resolved [either by your agreement or by court decision] a FINAL DECREE is entered. This is the document which marks the official end of the marriage. A sample Final Decree [involving children] is included in this Packet.

Useful Telephone Numbers:

Santa Fe Police Dept.	473-5080	Child Support Office	827-5050
Santa Fe Sheriff	986-2455	Court Clerk	476-0134
Rio Arriba Sheriff	753-3320	Mediation Services	827-1278
Los Alamos Sheriff	662-8028	Domestic Violence Section	827-4350

DOCKET INFORMATION SHEET

CASE NO.

**USE THIS FORM ONLY IF THE CASE INVOLVES MINOR CHILDREN
[UNDER 18]. PLEASE SUBMIT THE COMPLETED FORM TO THE
CLERK OF THE COURT.**

PETITIONER - Name, Address, Telephone No.

RESPONDENT - Name, Address, Telephone No.

Date of Birth: _____

Social Security No. _____

Date of Birth: _____

Social Security No. _____

Attorney for Petitioner

Attorney for Respondent

What Kind of Case is This?

Does this case involve ANOTHER case, old or still pending in this or another state or county? If so, please list them by name and number:

SIGNATURE of the PETITIONER

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Petitioner,

vs.

Case No. _____

Respondent.

**PETITION FOR DISSOLUTION OF MARRIAGE
[With Minor Children]**

PETITIONER comes before this court and requests that the marriage between Petitioner and Respondent be dissolved. Petitioner states that the following conditions are true:

The Parties

1. The Petitioner has resided in New Mexico for at least six months prior to the filing of this Petition and Petitioner is a resident of _____ County.
2. Petitioner and Respondent were married in (place) _____ on the date of _____. They have been husband and wife since that time.

Grounds for Divorce

3. Due to differences in temperament and outlook the Petitioner and Respondent have been unable to live together harmoniously. There is discord and conflict of personalities that have destroyed the marital relationship. A state of incompatibility exists between the parties, and there is no reasonable expectation of reconciliation.

Children

4. There is or are minor children of this marriage.

The name(s) and date(s) of birth is/are:

<u>Name</u>	<u>Date of Birth</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

2 -- Petition for Dissolution [with minor children]

Residence of children

4A. During the past three years, the minor child(ren) has/have lived with the following persons, at the following places, and for the following periods of time:

<u>With</u>	<u>Address</u>	<u>Dates</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Prior or Pending Litigation [Choose 1]

[] 4B. Petitioner knows of no other litigation, past or present, concerning custody or visitation involving the minor child(ren) of the parties in New Mexico or in any other state in which Petitioner has participated as a party, as a witness, or in any other capacity. **OR**

[] 4B. Petitioner knows of other litigation concerning custody or visitation involving the minor child(ren) of the parties in New Mexico or in any other state in which Petitioner has participated as a party, as a witness, or in any other capacity. The other litigation concerning custody or visitation involving the minor child(ren) of the parties is:

<u>Case Name</u>	<u>Case Number</u>	<u>Name and Location of Court</u>
_____	_____	_____
_____	_____	_____

Other Custody Claims [Choose 1]

[] 4D. Petitioner knows of no persons other than the parties who have physical custody of the minor child(ren) or who claim to have custody or visitation rights to the minor child(ren). **OR**

[] 4D. Petitioner knows of persons other than the parties who have physical custody of the minor child(ren) or who claim to have custody or visitation rights to the minor child(ren):

<u>Name</u>	<u>Residence</u>
_____	_____
_____	_____

Custody Request [Choose 1]

☐ 4E. _____ should be awarded sole legal and physical custody of the minor child(ren) subject to the other parent's reasonable rights of visitation. Sole legal and physical custody is in the best interests of the minor child(ren) because:

OR

☐ 4E. The parties should be awarded joint legal custody of the minor child(ren), with primary physical custody in _____ and periods of care and responsibility consistent with the best interests of the child(ren).

Child Support

☐ 4F. Child support should be set according to the New Mexico Child Support Guidelines and _____ should be ordered to pay child support in an amount commensurate with the Child Support Guidelines.

Life Insurance

☐ 4G. _____ should be ordered to purchase life insurance with a benefit amount of \$_____, naming the other parent as trustee for the benefit of the minor child(ren) in order to pay the child support obligation upon the other parent's death.

Medical Insurance

☐ 4H. _____ should provide health and dental insurance for the minor child(ren).

Medical Expenses [Choose 1]

☐ 4J. _____ should pay 100% of the child(ren)'s health and dental expenses not paid by insurance.

OR

☐ 4J. The parties should each pay one-half of the child(ren)'s health and dental expenses not paid by insurance.

OR

☐ 4J. The parties should pay the child(ren)'s health and dental expenses not paid by insurance in the percentages shown on the child support worksheet.

4 -- Petition for Dissolution [with minor children]

Community Property [Choose 1]

[Note: Community property generally includes all real and personal property acquired during marriage, except by gift, inheritance or agreement of the parties]

☐ 5. Petitioner and Respondent have no community property or they have accumulated community property during their marriage and they have already divided it. **OR**

☐ 5. Petitioner and Respondent have accumulated community property during their marriage which should be equitably divided between them.

Community Debts [Choose 1]

☐ 6. Petitioner and Respondent have no community debts or they have incurred community debt during their marriage and they have already divided the debt; **OR**

☐ 6. Petitioner and Respondent have incurred community debts during their marriage which should be equitably divided between them.

Separate Property [Choose 1]

[Note: Separate property means property acquired before marriage or acquired during marriage by gift, inheritance or agreement of the parties.]

☐ 7. Neither Petitioner nor Respondent have any separate property: **OR**

☐ 7. Petitioner or Respondent have separate property which should be confirmed to the rightful owner of that property.

Separate Debts [Choose 1]

☐ 9. Neither Petitioner nor Respondent have any separate debts; **OR**

☐ 9. Petitioner or Respondent have separate debts which should be awarded to the person who incurred the separate debts.

Spousal Support [Alimony] [Choose 1]

☐ 11. Each party is self-supporting or is able to be self-supporting, and neither party should receive spousal support. **OR**

☐ 11. _____ is unable to earn sufficient income to be self-supporting and is in need of temporary or permanent support and maintenance. _____ is capable of paying reasonable support to the other party.

5 -- Petition for Dissolution [with minor children]

Name Change

[] 12. _____ desires to change her name to _____.

WHEREFORE, Petitioner asks the Court to:

1. Dissolve the marriage of the parties on the grounds of incompatibility.
2. Enter a Final Decree of Dissolution granting relief consistent with the terms of this Petition.
3. Grant such other and further relief as the Court deems just and equitable.

RESPECTFULLY SUBMITTED:

Signature of Petitioner

Print Name

Address

City/State/Zip
Telephone: _____

STATE OF NEW MEXICO) ss.
COUNTY OF _____)

I, the Petitioner, being first duly sworn upon my oath, depose and state that I am the Petitioner in the above-entitled cause. I have read the attached PETITION FOR DISSOLUTION OF MARRIAGE. I state that the contents thereof are true and correct, except to the matters stated on information and belief, and those matters I believe to be true.

Signature: _____

SUBSCRIBED AND SWORN TO before me this date: _____	
by _____.	
My Commission Expires: _____	_____ NOTARY PUBLIC

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Petitioner.
vs.

Case No. _____

Respondent.

SUMMONS

TO THE DEFENDANT:

Name of Defendant[s]

Address

City, State and Zip

GREETINGS:

You are hereby directed to serve a pleading or motion in response to the Petition for Dissolution of Marriage within thirty (30) days after service of this summons, and file the same, all as provided by law.

You are notified that, unless you serve and file a responsive pleading or motion, the plaintiff will apply to the court for the relief demanded in the Petition.

Attorney or attorneys for plaintiff:

WITNESS the Honorable _____, District Judge of the First Judicial District Court of the State of New Mexico, and the seal of the District Court of _____ County, this ____ day of _____, 19____

Clerk of the District Court

By _____.
Deputy

RETURN OF SERVICE

STATE OF NEW MEXICO)
COUNTY OF _____)

I, being duly sworn, on oath, say that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served the within Summons in said County on this date: _____ by delivering a copy thereof, with copy of Complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

- ☐ to Defendant (used when Defendant receives copy of Summons or refuses to receive Summons)
- ☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of Defendant _____, who at the time of such service was absent therefrom.
- ☐ by posting a copy of the Summons and Complaint in the most public part of the premises of Defendant _____ (used if no person found at dwelling house or usual place of abode)
- ☐ to _____, an agent authorized to receive service of process for Defendant _____.
- ☐ to _____, (parent) (guardian) of Defendant _____.
(used when Defendant is a minor or an incompetent person)
- ☐ to _____(name and title of person authorized to receive service. (used when Defendant is corporation or association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision)

Signature of Person Making Service

Title [if any]

*SUBSCRIBED AND SWORN to before me this ____ day of _____, 19__.

Judge, Notary or Other Officer authorized to Administer Oaths

Official Title

*If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

_____,
Petitioner,

vs.

No. _____

_____,
Respondent.

TEMPORARY DOMESTIC ORDER

[Married With Minor Children]

**VIOLATION OF THIS ORDER CAN CONSTITUTE CONTEMPT OF COURT, AND
SUBJECT THE VIOLATOR TO FINE, IMPRISONMENT, AND OTHER SANCTIONS,
PLUS PAYMENT OF ATTORNEY FEES AND COSTS TO THE OTHER PARTY.**

THIS MATTER comes before the Court upon the filing of a legal action involving children.
The Court finds it is in the best interests of justice to issue this Order:

A. Hearings You MUST Attend

DO NOT BRING CHILDREN TO ANY HEARINGS

1. All court events are held on the Second Floor at the Santa Fe County Judicial Complex located at the corner of Catron Street and Grant Avenue in downtown Santa Fe, New Mexico.
2. You shall attend the INFORMATION SESSION on CHILDREN AND SEPARATION which is set from 3:00 p.m. to 5 p.m. on _____ and is held at the Large Courtroom.
3. You shall attend the INTERIM SUPPORT AND EXPENSES HEARING which is set at _____ on the date of _____ in Room 250 Hearing Room.
4. At least ten (10) days before the hearing, the you shall exchange the following:
 - a. Your most recent state and federal tax returns;
 - b. Your three (3) most recent pay stubs. If you are self-employed, then you must produce your most recent profit and loss statement and CRS-1 forms and similar financial data;
 - c. Your checking and savings account statements for the past six (6) months;
 - d. An itemization of all your monthly fixed expenses;
 - e. All exhibits you intend to introduce at the hearing.

5. You shall also bring this information to the hearing with you.

6. If you don't exchange this information fully and on time, it may count against you.

B. Conduct Towards Each Other

7. DO NOT molest, intimidate, threaten, harass, injure or physically or mentally abuse the other person or your children.

8. DO NOT open personal mail or packages addressed only to the other person, but either forward to or arrange prompt delivery of this mail to the other person. If the mail is addressed to both persons or if the mail concerns the children or relates to income, debts or property, you may open this mail but you must promptly send a copy to the other person.

C. The Children

9. DO NOT interfere with the parent-child relationship of the other parent. If the parents are living apart, both parents shall continue to have frequent contact and communication with the minor children of the parties, personally and by telephone.

10. DO NOT change the children's school, religion, child care, physical or mental health provider or recreational activities in which the child has been participating without court order, except upon the written agreement of the other parent

11. DO NOT remove, cause or permit the removal of any minor children of the marriage from the State of New Mexico without court order, except upon the written consent of the other parent.

D. The Family Home

12. DO NOT make the other person leave the family home, whether it be community or separate property, without Court order. You should attempt to resolve the question of who leaves the home in a fair manner. If you can't agree, you must ask the Court to decide.

13. WHOEVER moves from the family home may return to pick up personal belongings at a reasonable time as you may agree. Personal belongings do not include furniture unless you agree or the Court permits. If an order prohibiting domestic violence has been entered, a law enforcement officer shall be present to monitor the removal of personal belongings.

14. WHOEVER leaves the family residence shall notify the other person, in writing and within one day, of an address where the vacating person can receive mail.

E. Income, Debts and Ongoing Matters

15. ALL EARNED INCOME is community property and income from all other sources is generally community property. Likewise, all debts, existing and recurring, are generally community obligations. Each of you has a one-half interest in all community property and is obligated for one-half of all community debts.

16. DO NOT incur unreasonable or unnecessary debts. Any debt which does not contribute to the benefit of both spouses (or the minor children) which is incurred after you have separated, shall be the separate debt of the person who incurs the debt.

17. DO NOT drop any medical, hospital or dental insurance coverage, and the existing medical, hospital and dental insurance coverage must remain in full force and effect.

18. DO NOT change the beneficiaries of any existing life insurance policies owned by the community and the existing life insurance policies must remain in full force and effect.

F. Property

19. DO NOT sell, remove, transfer, dispose of, hide, encumber, or damage any property, real or personal, community or separate, except in the usual course of business or for the necessities of life and remember to keep an accounting of any transactions to show to the court.

20. YOU ARE entitled to examine the contents of the marital residence and to have access to all properties owned by either of you, for inspection, valuation, or appraisal, at a reasonable date and time. If you ask, the other must provide access to the home within fifteen (15) days after the date of the request, unless the court otherwise orders.

G. Take this Order Seriously

21. This Order is binding upon you unless (a) you modify it by agreement so long as your agreement is in writing and filed with the Clerk of the court; or (b) you ask the Court to modify it and the Court agrees in writing.

22. If you already have an "Order of Protection" from a Domestic Violence case, that Order shall be attached to the Temporary Domestic Order. If there is a conflict between the two Orders, the Protection Order controls unless the Court specifically orders otherwise.

Date

FAMILY COURT JUDGE

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Petitioner

vs.

No. _____

Respondent

PARENTING PLAN

1. Legal Custody

We agree to share joint legal custody of our children; that is, neither of us will make a major change affecting our children in the areas of religion, residence, non-emergency medical care, education or major recreational activities without consulting with the other parent. Before such a decision is made, we will discuss the matter and both of us must agree. If we cannot agree, our disagreement will be resolved by the methods we have chosen and set out in this parenting plan.

2. Time-Sharing

We will share time with the children as follows:

Weekdays: _____

_____.

Weekends: _____

_____.

Weekends begin at _____ o'clock (Friday) (Saturday) [Choose 1] and end at _____ o'clock (Sunday) (Monday) [Choose 1], unless Monday is a legal holiday, in which case the weekend ends at _____ o'clock (Monday) (Tuesday) [Choose 1].

(Optional): We have attached a calendar for the year _____ to this plan, and have marked in red the days the children will spend with mother and in blue the days the children will spend with father. Days for this calendar begin at _____ o'clock and end at _____ o'clock.

Vacations: Each parent will have uninterrupted time with the children for _____ weeks each summer if that parent gives the other at least _____ days notice.

(Option for young children): Until the youngest child reaches age _____, uninterrupted vacation time with parent is limited to _____ weeks. Between the ages of _____ and _____, that time will be _____ weeks. Between the ages of _____ and _____, that time will be _____ weeks. After reaching age _____, vacation time will be _____ weeks.

Holidays: Regardless of the day of the week, the children will spend:

- (a) Mother's Day and mother's birthday with mother;
- (b) Father's Day and father's birthday with father;
- (c) Children's birthdays with _____ in even-numbered years and with _____ in odd-numbered years.

Children will spend their time on holidays as follows:

	Even-numbered yrs	Odd-numbered yrs
Easter	_____	_____
Thanksgiving	_____	_____
Christmas	_____	_____
_____	_____	_____
_____	_____	_____

Telephone: We agree that the children have a right to place phone calls to and receive phone calls from the absent parent.

Changes: Each of us is free to ask for exceptions to this schedule, but we understand that the other parent can say "no", and we will not argue about it.

Transportation: We will divide the responsibility for getting the children to and from each other's house, day care, school, etc., as follows:

_____.

3. Trial Period or Permanent Plan: (Check one)

☐ We have not tried this time-sharing schedule before, so we agree that we will review the time-sharing plan in ____ days and at that time we will make any changes we agree on. If we cannot agree on changes, we will resolve our dispute using the method set forth in paragraph 6 below. If we litigate, a "Material Change in Circumstances" will not have to be proved in order to change the schedule.

☐ We have already tried this time-sharing schedule, so we intend it to be permanent. We recognize, however, that as our children grow and our lives change, it may be necessary to change the schedule from time to time. We agree that this is a major change that we have to discuss and agree on, and if necessary follow the dispute resolution procedures set out in paragraph 6 below.

4. The Status Quo -- What we have now:

- (a) Religion _____
- (b) Doctor _____
- (c) Dentist _____
- (d) Other medical _____
- (e) School _____
- (f) Recreation _____

We agree that neither of us will remove, cause to be removed, or permit removal of the children from the State of New Mexico, except for temporary visits which do not interfere with the time-sharing schedule, without the written consent of the other parent or resolution of the dispute by the method set forth in paragraph 6 below.

5. Emergencies

In case of a medical emergency, if time allows, the parent with that period of responsibility will contact the other parent concerning treatment of the child. If the absent parent cannot be reached, any decision for emergency medical treatment will be made in the best interest of the child by the available parent.

6. Dispute Resolution

We will discuss all major changes in the children's lives in order to try to reach agreement. If we cannot agree, after discussion, we will:

- ☐ Participate in family counseling to try to reach agreement.
- ☐ Participate in conciliation or mediation to try to reach agreement.
- ☐ Submit the matter to _____ for binding arbitration.
- ☐ Allocate ultimate responsibility to _____ for decisions.
- ☐ submit the matter to the District Court, which may refer the matter to a special master, or who may terminate joint custody, among other resolutions.

[NOTE: If more than one method of dispute resolution is desired, number the choices in order (#1 for the first method to be used, #2 for the second method, etc.)].

7. General Matters

In order to foster a continuing relationship between our children and both of their parents, we both agree:

(a) to be actively involved in the major decisions and legal responsibilities of our children.

(b) to communicate and be flexible about the needs of our children, especially as those needs change due to growth and development.

(c) to be supportive of and positive about the children's relationship with the other parent. Each of us will give loving permission to the children to enjoy the relationship with the other parent and neither of us will interfere with the parent-child relationship of the other.

(d) neither of us will align the children against the other parent or the other parent's family.

(e) We agree that each of us is responsible to keep the other parent informed of the children's school functions, parent-teacher conferences and recreational activities.

I Agree:

Mother's Signature

SUBSCRIBED and SWORN TO before
me on this date: _____

My Commission Expires:

Signature of NOTARY PUBLIC

I Agree:

Father's Signature

SUBSCRIBED and SWORN TO before
me on this date: _____

My Commission Expires:

Signature of NOTARY PUBLIC

APPROVED:

Date: _____

District Court Judge

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Petitioner,

vs.

NO. _____

Respondent.

FINAL DECREE

[with minor children]

THIS COURT having read the pleadings, heard the evidence, and being otherwise advised, finds:

FINDINGS OF FACT

1. The Petitioner has resided in New Mexico for at least six months prior to the filing of this Petition and Petitioner is a resident of Santa Fe, Rio Arriba or Los Alamos County.

2. Petitioner and Respondent were married on this date _____ in this location:

_____. They have been husband and wife since that time.

3. There is/are minor child(ren) of this marriage.

The name(s) and date(s) of birth is/are:

Name

Date of Birth

Age

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Due to differences in temperament and outlook the Petitioner and Respondent have been unable to live together harmoniously. There is discord and conflict of personalities that have destroyed the marital relationship. A state of incompatibility exists between the parties, and there is no reasonable expectation of reconciliation.

WHEREFORE, THIS COURT ORDERS:

Marriage

1. The marriage of the parties is dissolved on the grounds of incompatibility;

Custody [Choose One]

☐ 2. _____ is awarded sole legal and physical custody of the minor child(ren) subject to the other parent's reasonable rights of visitation. **OR**

☐ 2. The parties are awarded joint legal custody of the minor child(ren), with primary physical custody in Petitioner/Respondent [Circle 1] and periods of care and responsibility consistent with the best interests of the child(ren).

Child Support [Choose One]

☐ 3. Child support is set according to the New Mexico Child Support Guidelines and Petitioner/Respondent [Circle 1] is ordered to pay monthly child support of \$_____.

☐ 3. Applying the New Mexico Child Support Guidelines in this case would be unjust and inappropriate because _____; thus,

Petitioner/Respondent [Circle 1] is ordered to monthly child support of \$_____.

*[State Law requires a Child Support Worksheet be filed in **every** case -- unless the court has already entered a child support order and worksheet --- even if the parties agree to a child support amount different from the Worksheet amount.]*

Life Insurance

☐ 4. Petitioner/Respondent [Circle 1] is ordered to purchase life insurance with a benefit amount of \$_____, naming the other parent as trustee for the benefit of the minor child(ren) in order to pay the child support obligation upon the other parent's death.

Medical Insurance

☐ 5. Petitioner/Respondent [Circle 1] is ordered to provide health and dental insurance for the minor child(ren).

Medical Expenses [Choose 1]

☐ 6. Petitioner/Respondent [Circle 1] shall pay 100% of the child(ren)'s health and dental expenses not paid by insurance. **OR**

☐ 6. The parties shall each pay one-half of the child(ren)'s health and dental expenses not paid by insurance. **OR**

☐ 6. The parties shall pay the child(ren)'s health and dental expenses not paid by insurance in the percentages shown on the child support worksheet.

Community Property [Choose 1]

[Note: Separate property means property acquired before marriage or, if acquired during marriage, property acquired by gift, inheritance or agreement of the parties.]

☐ 7. Petitioner and Respondent have no community property. **OR**

☐ 7. Petitioner and Respondent have accumulated community property during their marriage and they have already divided it. **OR**

☐ 7. Petitioner and Respondent have accumulated the following community property during their marriage which is divided between them as follows:

To Petitioner:	To Respondent:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Community Debts [Choose 1]

☐ 8. Petitioner and Respondent have no community debts. **OR**

☐ 8. Petitioner and Respondent have incurred community debt during their marriage and they have already divided the debt. **OR**

☐ 8. Petitioner and Respondent have incurred the following community debt during their marriage which is divided between them as follows:

To Petitioner:	To Respondent:
_____	_____
_____	_____
_____	_____
_____	_____

Separate Property [Choose 1]

[Note: Separate property means property acquired before marriage or, if acquired during marriage, by gift, inheritance or agreement of the parties]

☐ 9. Petitioner has no separate property and the Respondent has no separate property. **OR**

☐ 9. The following separate property or properties are confirmed:

Petitioner

Respondent

Separate Debts [Choose 1]

☐ 10. Petitioner has no separate debt and the Respondent has no separate debt. **OR**

☐ 10. The following separate debts are confirmed:

Petitioner

Respondent

Spousal Support

☐ 11. _____ is ordered to pay \$_____ for temporary/permanent support to the other party.

Name Change

☐ 12. The name of _____ is hereby changed to _____.

District Judge

Petitioner

Respondent