

**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>
_____	_____
_____	_____

3 -- Petition for Dissolution [with minor children]

**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.

4 -- Petition for Dissolution [with minor children]

**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    Tele
phone: _____

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: _____ <div style="text-align: right; padding-right: 50px;">           _____            NOTARY PUBLIC         </div>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------