

[4A-331] 4A-402. Petition to establish parentage.

STATE OF NEW MEXICO

COUNTY OF _____
_____ JUDICIAL DISTRICT

Petitioner,

v.

No. _____

Respondent.

PETITION TO ESTABLISH PARENTAGE¹

I, _____, (*person listed as petitioner above*) am the petitioner in this case and I have [a child] [children] with _____ (*person listed as respondent*), "*the parties*". The parties ask the court for a Final Decree Establishing Parentage that establishes that _____ (*name of father*) is the father of the [child] [children] listed below and approves the parties' parenting plan for their [child] [children].

1. The parties have [or are expecting] _____ (*number*) minor [child] [children] together.
2. The parties are filing a completed Parenting Plan and Child Support Obligation, Form 4A-313 NMRA, at the same time as this petition.
3. Father lives in _____ County. Mother lives in _____ County. Venue is proper because one of us lives in the county listed in the case caption above.
4. Both parties have gotten the help needed in order to sign this document.
5. The parties are the parents of:

| Child's name | Date of birth | Age |
|--------------|---------------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

6. Our [child] [children] have lived in New Mexico since birth or for at least the past six (6) months. For the past five (5) years, our children have lived:

| Child's addresses | Dates of | People in |
|-------------------|----------|-----------|
|-------------------|----------|-----------|

residence

residence

Present address:

Past addresses:

(If applicable, check below and list each proceeding.)

7. ☐ The above [child has] [children have] been the subject of the following prior custody or support proceedings:

| Case Name | Case number | Court name | Location |
|------------------|------------------------|-------------------|-----------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

- ☐ No other custody or support proceeding has been filed in any state involving the above named [child] [children].

8. *(check applicable)*

- ☐ No person other than the parties to this proceeding has claimed custody or visitation rights for the above named [child] [children].
- ☐ The following named persons have custody or visitation rights to the above named [child] [children]:

(Name of person)

(Address)

(Name of person)

(Address)

9. Parentage has been established because the father has acknowledged that he is the father of the [child] [children].
10. We understand that once the judge signs the Final Decree of Parentage, 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.

3

Petitioner's signature

Address:

Telephone:

3

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

)

) ss

COUNTY OF

)

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

My commission expires:

Notary Public

USE NOTES

1. See Domestic Relations Form 4A-206 NMRA for an explanation of an uncontested paternity proceeding and how to complete these forms.
2. Section 40-10A-209 NMSA 1978 requires the following information be disclosed:
 - name of the child;
 - the places the child has lived in the last five (5) years; and
 - the names and addresses of the persons with whom the child has lived in the last five (5) years.
3. After completing this form the petitioner and respondent must sign their names before a notary.

[Approved, effective November 1, 2002; 4A-331 recompiled as 4A-402 by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013.]

Compiler's note. – Pursuant to Supreme Court Order No. 13-8300-010, former 4A-331 NMRA was recompiled 4A-402 NMRA, effective May 31, 2013.