

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT

[1] _____,
Petitioner,

v. No. [2] _____

[3] _____,
Respondent,

and involving,

[4] _____,
The Minor Child(ren).

**ORDER ESTABLISHING PARENTAGE,
CUSTODY, TIME-SHARING, AND
CHILD SUPPORT**

THIS MATTER having come before the Court upon Petitioner's Petition to Establish Parentage, Determine Custody, Time-Sharing, and Assess Child Support, the Court having considered the evidence presented before it and being fully advised in the premises, hereby enters its Finding of Fact, Conclusions of Law and Final Order as follows:

THE COURT FINDS:

A. BACKGROUND.

1. Petitioner lives in the State of New Mexico and resides in

[5] _____ County.

2. [6] _____ is the mother of the minor child(ren), namely:

[7] Minor Children Subject to this Proceeding:

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>PRESENT AGE</u>
(a)	(b)	(c)

3. This Court has jurisdiction to determine custody and time-sharing issues.

B. PARENTAGE

4. The Court finds that [8] _____ is the father of the child(ren):

[9] NAMES OF THE CHILDREN

[10] 5. This finding of Paternity is based upon:

C. CHILD CUSTODY (Complete one of the following:)

[11] (a) Both Petitioner and Respondent are fit and proper persons to have care, custody and control of the minor child(ren) of the parties.

OR: (b) _____ is a fair and proper person to have primary care, custody and control of the minor child(ren) of the parties.

D. TIME-SHARING (Complete one of the following:)

[12] (a) The parties have entered into a Parenting Plan that describes the agreed upon time-sharing schedule of each parent with the minor child(ren). The Agreement or Plan is filed herewith.

OR:

(b) The parties have agreed to the following time-sharing plan for the child(ren):

(i)

OR:

(c) Petitioner has submitted a Parenting Plan that describes the proposed time-sharing schedule of each parent with the minor child(ren). The parenting Plan is filed herewith:

E. CHILD SUPPORT

[13] (a) _____ is able-bodied person, capable of paying child support in the amount of (ii) \$ _____ per month. A Child Support Worksheet is filed herewith, and this amount is in accordance with the Child Support Guidelines.

OR:

(b) _____ is an able-bodied person who is capable of paying child support and should be required to contribute (ii) \$ _____ per month for child support. A Child Support Worksheet is filed herewith. The amount of child support deviates from Guideline Child Support. The Child Support Guidelines are waived in this matter because following the Guidelines would create a substantial hardship due to these circumstances:

(iii)

It is therefore determined that application of the Guidelines would be unjust or inappropriate.

[14] F. WAGE ASSIGNMENT

(a) The income of (i) _____, the support obligor, shall be subject to immediate income withholding in the amount of (ii) \$ _____ per month for child support.

OR:

F. WAIVER OF WAGE ASSIGNMENT

(b) The Petitioner has waived immediate income withholding and have agrees that the support obligor will make child support payments directly to the support obligee.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. [15] _____ is determined to be the natural mother and
[16] _____ is determined to be the natural father of the children:

[17]

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>PRESENT AGE</u>
(a)	(b)	(c)

2. [18] (a) Petitioner and Respondent are awarded joint legal custody of the minor child(ren) of the parties.

OR: (b) (i) _____ is awarded primary care, custody and control of the minor chid(ren) of the parties.

3. [19] Time-sharing with the minor child(ren) will be:

(a) as shown in the Parenting Plan filed herewith.

OR: (b) as follows:

(i)

4. [20] _____ is ordered to pay child support in the amount of [21] \$ _____ per month payable to [22] _____, commencing on the [23] _____ day of [24] _____, [25] 20____ and on the [26] _____ day of each and every month thereafter. The amount of child support has been determined in accordance with the current New Mexico Child Support Guidelines. Financial information will be exchanged by the parties annually on or before the [27] _____ day of [28] _____ each year.

Support shall cease when a child of the parties reaches the age of 18, is emancipated, and permanently resides with the other parent or by order of the Court, whichever occurs first.

If the paying parent accrues a delinquency in his or her support obligations hereunder equal to at least one month's support obligation, his or her income shall be subject to withholding in an amount sufficient to satisfy the support order and an additional amount to reduce the deficiency.

5. [29] (a) The Petitioner has waived income withholding. The obligor parent shall make payments directly to:

NAME: (i) _____

ADDRESS: (ii) _____

OR:

(b) Immediate income withholding for child support is ordered. The employer of the obligor, (i) _____, Social Security No. (ii) _____ shall make child support payments to:

a. Child Support Enforcement, Accounting Division
P.O. Box 25109
Albuquerque, NM 87125

b. The account number (iii) _____ shall be shown on each payment.

OR:

(c) Because the custodial parent is now receiving aid from the State of New Mexico, the following special orders apply:

a. Child Support payments should be made directly to:

Child Support Enforcement, Accounting Division
P.O. Box 25109
Albuquerque, NM 87125

b. The account number (i) _____ shall be shown on each payment.

c. The child(ren) will be covered under a group insurance policy which is available to the parent who is making the child support payments.

6. [30] In addition to the child support ordered in paragraph 4 above,

(a) _____ is ordered to pay retroactive child support as follows:

(b) \$ _____, payable at (c) \$ _____ per month, the

retroactive child support to be paid at the same time and in addition to the child support amounts shown in paragraph 4.

7. [31] (a) _____ is ordered to pay lying-in

Expenses, including hospital and medical expenses, in the total amount of (b)

\$ _____, payable as follows:

(c) PAYMENT TO:

(d) AMOUNT TO
BE PAID:

(e) EXPLANATION
OR DETAIL:

8. [32] Health and dental insurance for the child(ren) will be paid by

(a) _____.

9. [33] Medical expenses for the child(ren) not paid by insurance will be paid by the

parents as follows:

(a)

10. [34] (a) _____ is ordered to purchase life insurance with a benefit amount of (b) \$ _____, naming the other parent as trustee for the benefit of the minor child(ren) in order to pay the child support upon the paying parent's death.

11. [35] The Department of Vital Statistics of the State of New Mexico is ordered to change the birth record(s) of _____ to reflect this parentage determination.

DONE BY THE COURT this [36] _____ day of [37] _____ [38]
20 ____.

DISTRICT COURT JUDGE

APPROVED:

[39] _____
Petitioner

[40] _____
Respondent