

1 **4A-306. Final decree of dissolution of marriage (with children).**

2
3 STATE OF NEW MEXICO
4 COUNTY OF _____
5 _____ JUDICIAL DISTRICT
6

7 _____
8 Petitioner,
9

10 v.

No.

11 _____
12
13
14 _____
15 Respondent.

16
17 **FINAL DECREE OF DISSOLUTION OF MARRIAGE**
18 **(with children)¹**
19

20 This matter was brought before the Court to enter a Final Decree of Dissolution of
21 Marriage by Petitioner and Respondent (“the parties”).
22

23
24 The following documents are referenced in this decree:
25

26 A Marital Settlement Agreement [~~select only one~~],
27

28 signed and filed by the parties, that settles the claims related to their marital relationship;
29

30 [~~Or~~]

31
32 attached as Exhibit A, because the parties did not agree on the terms of a
33 Marital Settlement Agreement;²
34

35 A Custody Plan and Order [~~select only one~~],
36

37 signed and submitted by the parties, that sets out the custody of their children;
38

39 [~~Or~~]

40
41 attached as Exhibit B, because the parties did not agree on the terms of a
42 Custody Plan;²
43

1 A Child Support Obligation and Order, including a child support worksheet
2 [~~(select only one)~~;

3
4 signed and submitted by the parties, that sets out the child support for
5 their children[?];

6
7 [~~(Or)~~

8
9 attached as Exhibit C, because the parties did not agree on the terms of a
10 Child Support Obligation.²]

11
12 The Court, having considered the evidence FINDS AND CONCLUDES:

13
14 1. The Court has jurisdiction over the subject matter of this action and over
15 the parties and the children.

16
17 2. The parties were married on _____ (date of marriage).

18
19 3.[2.] The parties are incompatible.

20
21 4.[3.] The Marital Settlement Agreement is fair and reasonable and should be
22 adopted by the Court.

23
24 5.[4.] The Custody Plan and Order is fair and reasonable and should be adopted
25 by the Court.

26
27 6.[5.] The Child Support Obligation and Order is fair and reasonable and should
28 be adopted by the Court.

29
30 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

31
32 1. The marriage of Petitioner and Respondent is dissolved on the grounds of
33 incompatibility.

34
35 2. The parties are ordered to comply with the terms of the Marital Settlement
36 Agreement, which [~~(select one)~~

37
38]has been filed with the Court and is incorporated here by reference.

39
40 [~~(Or)~~

41
42 is attached and adopted as the order of the Court.]

1 3. The parties are ordered to comply with the terms of the Custody Plan and Order,
2 which [~~select one~~]

3
4 —]has been adopted by the Court and is incorporated here by reference.

5
6 ~~[(Or)~~

7
8 — is attached and adopted as the order of the Court.]

9
10 4. The parties are ordered to comply with the terms of the Child Support Obligation
11 and Order, which [~~select one~~]

12
13 —]has been adopted by the Court and is incorporated here by reference.

14
15 ~~[(Or)~~

16
17 — is attached and adopted as the order of the Court.]

18
19 5. Petitioner (or) Respondent is ordered to pay child support in the amount of
20 \$_____ per month to the other parent.

21
22 6. Legal custody of the children is as follows (*select one*):

23
24 The parties have joint legal custody of the children.

25
26 (Or)

27
28 Petitioner (or) Respondent has sole legal custody of the children.

29
30 7. The Court has continuing jurisdiction over issues relating to the children of the
31 marriage until the children reach the age of majority as provided by law.

32
33 (*Select and complete the following paragraphs if applicable*)

34
35 8. The Court retains jurisdiction to enter QDROs or other orders dividing the
36 retirement plans referenced in the Marital Settlement Agreement.

37
38 9. Judgment in favor of Petitioner (or) Respondent is awarded in the
39 amount of \$_____, as set forth in Section III of the Marital Settlement
40 Agreement (Cash Payment). The statutory interest rate shall apply as provided in
41 Section 56-8-4(A) NMSA 1978.

42
43 10. Petitioner's name is restored to the former name of

1 **DO NOT FILE THIS PAGE: FOR PARTY USE ONLY**

2
3 **USE NOTES**

4
5 1. This form may be used anywhere in this state by the court to enter a final decree
6 of dissolution of marriage when the parties have minor children or a child under nineteen years
7 of age who is attending high school.

8 2. ~~[If the parties are not in agreement, each party must complete and submit a~~
9 ~~proposed draft of this document to the court with this decree. See Form 4A-301 NMRA (Marital~~
10 ~~Settlement Agreement); Form 4A-302 NMRA (Custody Plan and Order); Form 4A-303 NMRA-~~
11 ~~(Child Support Obligation and Order). The court may approve some or all of the proposed~~
12 ~~terms of either party, or it may order any other terms that it deems are just and proper.]~~

13
14 [Approved by Supreme Court Order No. 14-8300-011, effective for all pleadings and papers
15 filed on or after December 31, 2014, in all cases filed or pending on or after December 31, 2014;
16 as amended by Supreme Court Order No. 16-8300-020, effective for all pleadings and papers
17 filed on or after December 31, 2016; as amended by Supreme Court Order No. 19-8300-006,
18 effective for all pleadings and papers filed on or after July 1, 2019.]