

INSTRUCTIONS FOR DOWNLOADING DIVORCE FORMS

Divorce without Children

The information below is to help you download the correct NM Supreme Court-approved forms from the New Mexico Supreme Court website.

You can obtain the forms by going to www.nmcourts.gov. Go to “Self Help” and then click on “forms”. Click on "District Court Forms", and then click on “Domestic Relations”.

Your forms must be printed on good quality white paper 8 ½ by 11 inches in size. The Clerk’s Office **will not** accept your forms for filing if they are printed double sided. **DO NOT** use white out or correction tape on your forms or the Clerk’s Office will not accept them for filing.

Before you take your forms to the Clerk’s Office to file them, bring them to the Self Help Center to have them reviewed and make sure you have everything you need. The clerks won’t accept them for filing until they know the Self Help Center has reviewed them. **Review hours are Mon. – Thurs. 8am-12pm or 1pm-3:30pm and Fridays 8am-11:30am or 1pm-3:30pm.**

All divorces that DO NOT involve minor children require that the following forms be filed before the divorce is final. For an **UNCONTESTED** divorce **WITHOUT** minor children you will file these forms *at the same time*:

<i>Form Number</i>	<i>Form Name</i>
4A-101	Domestic Relations Information Sheet
4A-102	Petition for Dissolution of Marriage (without children)
4A-301	Marital Settlement Agreement
4A-305	Final Decree of Dissolution of Marriage

Your divorce will NOT be final until ALL of these forms are filed with the Court Clerk AND a Final Decree of Dissolution of Marriage has been submitted to the judge. When the judge signs off on the Final Decree and it is filed, then and ONLY then is your divorce is final.

If you and your spouse CANNOT complete, sign, and file ALL these forms *at the same time*, your divorce will be **CONTESTED**. One person will file the Petition for Dissolution of Marriage, and you will file the other forms as you are able to agree on them. If you can't agree on them, the judge will decide for you.

For a **contested** divorce **without** children you will need the following forms to *open* your case:

<i>Form Number</i>	<i>Form Name</i>	
4A-101	Domestic Relations Information Sheet	
4A-102	Petition for Dissolution of Marriage (without children)	
4-206	Summons	This form is located under the Miscellaneous Forms on our webpage www.firstdistrictcourt.com/forms

When you take these forms to the Self Help Center for review, they will add the following forms:

- Interpreter Form
- Temporary Domestic Order
- Scheduling Order
- Notice of Hearing for Interim Income and Expense Allocation.

The Scheduling Order and the Notice of Hearing will have dates for events that you MUST attend.

If you can't afford the filing fee (\$137.00, cash, cashier's check, or money order only), you may download an Application for Free Process (Form 4-222) or obtain the form from the Self Help Center or Clerk's Office. You will submit the completed Application with your Petition and other forms.

WHAT HAPPENS NEXT

You will need to complete and file a Marital Settlement Agreement before your divorce can be finalized.

After you complete and sign the Marital Settlement Agreement (Form 4A-301), then complete and sign a Final Decree of Dissolution of Marriage (Form 4A-305). Bring both forms to the Court Clerk's Office.

Your divorce will NOT be final until ALL of these forms are filed with the Court Clerk AND a Final Decree of Dissolution of Marriage has been submitted to the judge. When the judge signs off on the Final Decree and it is filed, then and ONLY then is your divorce is final.