

4A-401. Uncontested petition for paternity; forms needed; filing fee.

A. **Forms that need to be filed.** In a parentage case where both parties agree, the parties need to file the following completed forms with the court:

- (1) a Domestic Relations Cover Sheet, Form 4A-101 NMRA is required;
- (2) a Petition to Establish Parentage, Form 4A-402 NMRA is provided;
- (3) an Order Establishing Parentage, Custody, and Child Support, Form 4A-404 NMRA is provided; and
- (4) a Custody Plan and Order, Form 4A-302 NMRA is provided.

B. **Child Support.** The Order Establishing Parentage, Custody, and Child Support (Form 4A-404 NMRA) requires the parties to fill out a child support worksheet and attach it to the Order. Parties may choose to have child support withheld from the paying parent's income, but that requires filling out a Wage Withholding Order (Form 4A-304 NMRA), having a Child Support Enforcement number (which may be obtained through Child Support Enforcement), and filling out the Income Withholding for Support Form (OMB 0970-0154).

C. **Type or print.** The parties must type or print all of the information required to be completed on the forms. Many forms may be downloaded and completed or completed on-line. If a pre-printed form is being used by the parties and there is not enough room on the form to provide all of the information required, use a separate page for the information and staple the page to the pre-printed form before making copies and filing the form with the court.

D. **Sign the pleadings.** A party's signature on a pleading or paper filed with the court constitutes a certificate that the party has read the paper and that to the best of the party's knowledge, information, and belief there is good grounds to support it.

E. **Forms required to be signed before a notary.** Only the Petition for Parentage must be signed by the petitioner (*person filing the case*) in front of a notary.

F. **File the forms with the court.** After the parties have completed and signed the forms, the parties must file them with the court clerk.

G. **Required number of copies.** An original and two (2) copies of each form must be filed.

H. **Pay the filing fee.** A filing fee must be paid to the clerk in cash, money order, or credit card at the time the petition and information sheet are filed unless free process is approved.

[Approved, effective November 15, 2002; 4A-206 recompiled as 4A-401 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; as amended by Supreme Court Order No. 13-8300-014, effective immediately in all cases pending or filed on or after June 24, 2013; as amended by Supreme Court Order No. S-1-RCR-2024-00103, effective for all cases pending or filed on or after December 31, 2024.]