

1 **4A-310. Domestic relations forms; instructions for default proceedings.**  
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3 If you are the Petitioner AND more than thirty (30) days have passed since you served the  
4 Respondent with the Petition AND the Respondent has failed to file a Response or to otherwise  
5 respond to the Petition, you may be granted a divorce without the agreement of the Respondent.  
6 This is called a default judgment. You may request a default judgment and final decree of  
7 dissolution of marriage by doing the following:  
8

9 A. Complete and file with the Court Clerk's Office an Affidavit as to Respondent's  
10 Failure To Plead or Otherwise Defend (Form 4A-311 NMRA); your affidavit must include a  
11 certificate verifying the other party's active duty military status, which you can obtain online at  
12 [[https://dmdc.osd.mil/appj/scra/single\\_record.xhtml](https://dmdc.osd.mil/appj/scra/single_record.xhtml)] <https://scra.dmdc.osd.mil/scra/#/home> or  
13 <https://scra.dmdc.osd.mil/scra/#/login>; when you file your affidavit, bring a blank Certificate as to  
14 the State of the Record (Form 4A-312 NMRA) and a self-addressed, stamped envelope so that the  
15 Clerk can return a completed certificate to you;  
16

17 B. After you receive the completed Certificate as to the State of the Record (Form 4A-  
18 312 NMRA) from the Clerk, attach the certificate to an Application for Default Judgment and  
19 Final Decree of Dissolution of Marriage (Form 4A-313 NMRA), and file the application with the  
20 Court Clerk's Office; and  
21

22 C. Complete and submit to the judge a copy of the Default Judgment and Final Decree  
23 of Dissolution of Marriage (Form 4A-314 NMRA (without children) or Form 4A-315 NMRA  
24 (with children)). Check with the clerk of your district to determine if your district has additional  
25 requirements.  
26

27 The Court may sign and file the Default Judgment and Final Decree of Dissolution of  
28 Marriage without further notice, or it may order you to appear for a hearing. **WARNING:** Once  
29 the Court enters the Default Judgment and Final Decree of Dissolution of Marriage, your divorce  
30 will be final, and the terms of your Default Judgment and Final Decree of Dissolution of Marriage  
31 will be legally binding on both parties.  
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33 [Approved by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed  
34 on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013; approved by  
35 Supreme Court Order No. 14-8300-011, effective for all pleadings and papers filed on or after  
36 December 31, 2014, in all cases filed or pending on or after December 31, 2014; as amended by  
37 Supreme Court Order No. S-1-RCR-2023-00040, effective for all cases pending or filed on or after  
38 December 31, 2024.]