

1 **4A-401. Uncontested petition for paternity; forms needed; filing fee.**

2 A. **Forms that need to be filed.** In a parentage case where both parties agree, [~~an~~  
3 ~~uncontested paternity proceeding,~~] the parties need to file the following completed forms with the  
4 court:

5 (1) a Domestic Relations Cover Sheet, Form 4A-101 NMRA is required;

6 (2) a Petition to Establish Parentage, Form 4A-402 NMRA is provided; [~~and~~

7 [~~a Final Decree of Parentage, Form 4A-403 NMRA is provided.~~] an Order

8 Establishing Parentage, Custody, and Child Support, Form 4A-404 NMRA is provided; and

9 (4) a Custody Plan and Order, Form 4A-302 NMRA is provided.

10 B. [~~Custody Plan and~~] **Child Support.** [~~Obligation. If child support is to be ordered,~~  
11 ~~a Custody Plan (Form 4A-302 NMRA), Child Support Obligation (Form 4A-303 NMRA), and~~  
12 ~~child support worksheet are required.~~] The Order Establishing Parentage, Custody, and Child  
13 Support (Form 4A-404 NMRA) requires the parties to fill out a child support worksheet and attach  
14 it to the Order. Parties may choose to have child support withheld from the paying parent's income,  
15 but that requires filling out a [A] Wage Withholding Order (Form 4A-304 NMRA), having a Child  
16 Support Enforcement number (which may be obtained through Child Support Enforcement), and  
17 filling out the Income Withholding for Support Form (OMB 0970-0154) [may also be required if  
18 requested by a party. See Form 4A-300 NMRA for an explanation of the Custody Plan, Child  
19 Support Obligation, child support worksheet, and Wage Withholding Order].

20 C. **Type or print.** The parties must type or print all of the information required to be  
21 completed on the forms. Many forms may be downloaded and completed or completed on-line. If  
22 a pre-printed form is being used by the parties and there is not enough room on the form to provide

1 all of the information required, use a separate page for the information and staple the page to the  
2 pre-printed form before making copies and filing the form with the court.

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

6         **E. Forms required to be signed before a notary.** Only the Petition for Parentage  
7 must be signed by the petitioner (person filing the case) in front of a notary. [~~Both the husband~~  
8 ~~and wife must sign the following pleadings and papers before a notary:~~

9         ~~\_\_\_\_\_ (1) the Petition for Parentage; and~~

10         ~~\_\_\_\_\_ (2) if child support is to be ordered, the Custody Plan and Child Support~~  
11 ~~Obligation.]~~

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

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

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

18 [Approved, effective November 15, 2002; 4A-206 recompiled as 4A-401 by Supreme Court Order  
19 No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases  
20 pending or filed on or after May 31, 2013; as amended by Supreme Court Order No. 13-8300-014,  
21 effective immediately in all cases pending or filed on or after June 24, 2013; as amended by  
22 Supreme Court Order No. S-1-RCR-2024-00103, effective for all cases pending or filed on or after  
23 December 31, 2024.]