

Procedure for filing a Default Parentage/Custody

If you are the party who filed the Petition Establishing Parentage, and more than thirty (30) days have passed since Respondent was served and Respondent has not filed an answer, you may Motion the Court for a Default Order Establishing Parentage, Custody Time-Sharing and Child Support. Complete the following forms in this packet:

- A. Default Motion for Order Establishing Parentage, Determine Custody and Time-Sharing, and assess Child Support by Default.
- B. Affidavit As To Respondent's Failure To Plead Or Otherwise Defend
You must also attach this certificate verifying the respondent's active duty military status. Obtain this form online at: <https://scra.dmdc.osd.mil>
- C. Certificate as to the state of the record (**This form must be completed by the clerk when you submit these forms for filing.**)
- D. Request for Hearing
- E. Notice of Hearing
- F. Default Order Establishing Parentage, Custody, Time-Sharing and Child Support. (**See attached separate instructions to fill out this form.**)
- G. Child Support Worksheet A or B (Please refer to attached Child Support Guidelines.)
- H. Parenting Plan – This form may be modified as needed. If this is a default case, you do not need the other party's signature.

Preparing forms for filing

- 1. Prepare your forms for filing: Make two (2) sets of copies of the each form listed above. Sort each document according to title, placing the original on top of copies. **NOTE: The Domestic Relations Clerk can make copies for a cost of \$.35 cents per page.**
- 2. Submit your originals and copies to the Domestic Relations Clerks Office, Room 119, First Floor, between 8:00 a.m. to 4:00 p.m. located at the Second Judicial District Court, 400 Lomas, NW, Albuquerque, NM 87102.
- 3. Include (2) Self-Addressed stamped envelopes for each party in the case. **NOTE: The Domestic Relations Clerk may not accept the motion for filing if Self-Addressed envelopes are not included.**
- 4. The Judge's assistant will schedule the hearing date on the Notice of Hearing form and mail a copy to you in the envelope provided. You should obtain a copy of the Order for your records, once it is filed.