

4A-201. Domestic relations forms for self-represented parties; limited purpose of forms; cautions regarding use of forms.

A. **Pro se forms.** Domestic Relations Forms 4A-201 to 4A-332 NMRA have been approved by the New Mexico Supreme Court for use in the district court by people who are representing themselves in uncontested divorce and paternity cases. The forms will assist self-represented parties in completing the paperwork necessary to complete most uncontested dissolution of marriage cases and most uncontested actions to lawfully establish paternity of one or more children.

B. **Responsibility of self-represented party.** A self-represented person must abide by the same rules of procedure and rules of evidence as lawyers. It is the responsibility of self-represented parties to determine what needs to be done and to take the necessary action. Those persons seeking a divorce may need the advice of an attorney or other appropriate professional during the process.

C. **Issues not addressed.** Domestic Relations Forms 4A-201 through 4A-332 NMRA do not address many issues, including, but not limited to, the following:

- (1) how to collect information regarding the property, debts and income of the parties;
- (2) the rights and obligations of married persons before and after a divorce;
- (3) federal and state tax treatment of income and expenses both before and after a divorce or as a result of a child support order;
- (4) how to transfer title to property or assets; or

(5) how to divide any retirement income. If the parties are dividing retirement income, they must comply with the requirements of the retirement fund.

D. **Role of judge and clerk.** Neither the judge nor the clerk of the court will assist the parties in the completion of the forms or with the issues described in Paragraph C of this rule. Court clerks may provide the parties with information about how to file these forms with the court. The judge decides the issues in the case, but cannot represent either party. The judge cannot and will not give the parties advice about how to fill out these forms.

[Approved, effective November 15, 2002.]