

4A-203. Motion to modify temporary order (*domestic relations actions*).

[For use with Rules 1-121 and 1-122 NMRA]

STATE OF NEW MEXICO

COUNTY OF _____
_____ JUDICIAL DISTRICT

_____,
Petitioner,

v. No. _____

_____,
Respondent.

MOTION TO MODIFY TEMPORARY ORDER
(*domestic relations actions*)¹

I, _____ (*name of Petitioner or Respondent*) request the court to:
(*check and complete all that apply*)

modify paragraph ____ of the temporary domestic order as follows:

_____.

terminate the temporary domestic order because:

_____.

terminate or modify the temporary child support because:

_____.

modify the temporary division of income and debts of the parties because²:

_____.

dismiss the temporary restraining order because³:

_____.

terminate or modify the temporary wage withholding order because:

_____.

terminate or modify the temporary order establishing timesharing or visitation schedule because:

_____.

I have tried to talk to _____ . (*name of the other party or the other party's attorney if represented*)

This is what happened: (*You MUST check one of these boxes.*)

- The other party AGREES with my motion.
- The other party DOES NOT AGREE with my motion.
- The other party WILL NOT TALK TO ME about my motion.
- I CANNOT TALK TO THE OTHER PARTY because there is a protective order between us and the other party does not have a lawyer.
- I HAVE NOT TALKED TO THE OTHER PARTY because:

_____.

Signature

Name (printed)

Address

Telephone number

CERTIFICATE OF SERVICE

I certify that on _____ (*date*), I (*check the applicable item below and fill in all information*)

mailed a copy of this motion by United States mail, postage prepaid, to:

Name: _____

Mailing address: _____

City, state, and zip code: _____;

[] delivered a copy of this motion to _____ (*the other party or the other party's attorney*); or

[] faxed a copy of this motion to _____ (*the other party or the other party's attorney*) using the following fax number: _____. The transmission was reported as complete and without error. The time and date of the transmission was _____ (a.m) (p.m) on _____ (*date*).

Signature of attorney

Date of signature

If this notice was served by a person other than an attorney, the following must also be completed and filed with the court:

VERIFICATION OF SERVICE

I affirm under penalty of perjury under the laws of the State of New Mexico that a copy of this motion was served by [mail] [fax] [electronic transmission] as described above on _____ (*date*).

Signature of person who made service

USE NOTE

1. This form may be used anywhere in this state to request the court to modify a temporary order entered by the court in a domestic relations action.

2. If a court order of temporary division of income and debts is being challenged, you must complete an Interim Monthly Income and Expenses Statement (Form 4A-212 NMRA) and file it with the court at the time you file this motion.

3. If you believe that your spouse may injure you or cause some other harm to you, your children, or other household member, you may file a petition for a temporary restraining order or you may file a "Petition for Order for Protection from Domestic Abuse." See Form 4-961 NMRA.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001; 4A-113 recompiled and amended as 4A-203 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.]

Compiler's note. – Pursuant to Supreme Court Order No. 13-8300-010, 4A-113 NMRA was recompiled and amended as 4A-203 NMRA effective May 31, 2013.

Withdrawals. – Pursuant to Supreme Court Order No. 13-8300-010, former 4A-203 NMRA, relating to forms not available through the courts, was withdrawn effective May 31, 2013.