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**PETITION FOR ORDER OF PROTECTION  
FROM DOMESTIC ABUSE PACKET**

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**THIS PACKET CONTAINS:**

- Form 4-961:**      **Petition for Order of Protection from Domestic Abuse**
- Form 4-961A:**    **Service of Process Information for Petition for Order of Protection  
from Domestic Abuse**
- Form 4A-101**      **Domestic Relations Information Sheet**

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**FIFTH JUDICIAL DISTRICT COURT  
CHAVES, EDDY, & LEA COUNTIES**

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**4-961. Petition for order of protection from domestic abuse.**

[Family Violence Protection Act,  
Sections 40-13-1 to 40-13-8 NMSA 1978]

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT COURT

\_\_\_\_\_, Petitioner

v.

No. \_\_\_\_\_

\_\_\_\_\_, Respondent

**PETITION FOR ORDER OF PROTECTION  
FROM DOMESTIC ABUSE<sup>1</sup>**

**1. COURT ASSISTANCE REQUEST**

We will need an interpreter in \_\_\_\_\_ to translate at hearings for  me  
 the respondent.

We will need \_\_\_\_\_ (*describe other request for special help*).

**2. INFORMATION ABOUT THE RESPONDENT** (*the person I am filing against*)

A. The respondent is:

my husband or  my wife

my ex-husband or  my ex-wife

the parent of my [child] [children]

a family member \_\_\_\_\_ (*describe the family relationship*)

a person with whom I have had a continuing personal relationship  
\_\_\_\_\_ (*describe the relationship*)

a person who has sexually assaulted me

a person who has stalked me

B. The respondent has the following firearms (make/model):

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*(use additional page if needed)*

**3. INFORMATION ABOUT [CHILD] [CHILDREN]<sup>2</sup>**

A. List minor [child] [children] of either party, even if from another relationship.

Name	Date of Birth	Relationship of [Child] [Children]	
		To You	To Respondent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. List address and with whom the [child] [children] are currently living. *(List each child separately if [child] [children] do not reside with same person.)*

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C. List each address where [child] [children] have lived during the last five (5) years. *(List each child separately if [child] [children] did not reside with same person.)*

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D. Does anyone else have physical custody of the [child] [children] or claim to have custody or visitation rights? [ ] yes [ ] no

*If yes, complete the following for the [child] [children]:*

Child's name	Person claiming rights
_____	_____
_____	_____

E. Describe how often the [child] [children] have been with the other party during the past six (6) months.

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**4. OTHER CASES**

[ ] The following divorce, separation, order of protection, child support, paternity, abuse or neglect cases have been previously filed by me, the respondent or the state:

Type of Case	Year Filed <i>(if known)</i>	Case Number <i>(if known)</i>	Where Filed <i>(city and state)</i>
_____	_____	_____	_____
_____	_____	_____	_____

**5. DOMESTIC ABUSE**

A. The respondent committed the following act(s) of domestic abuse against me or a member of my household: *(describe in detail what happened to you or to a member of your household and when and where.)*

**Physical abuse:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Threats which caused fear that you or any household member would be injured:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Other abuse:** \_\_\_\_\_  
\_\_\_\_\_

Date of abuse: \_\_\_\_\_

Place of abuse: \_\_\_\_\_

B. Respondent is a credible threat to my physical safety because: \_\_\_\_\_

\_\_\_\_\_

C. Others present during the abuse: \_\_\_\_\_

D. Did drugs or alcohol play a role in the domestic abuse?  yes  no

E. Were weapons used during the abuse?  yes  no

If yes, describe the weapons?

F. Has there been prior domestic abuse?  yes  no  
[continuation sheets to be inserted here]

## 6. REQUESTS TO THE COURT

I REQUEST THAT THE COURT ORDER (*check all that you want*):

A. that the respondent not contact me, not abuse me, and that the respondent stay away from my residence [and] [place of employment] [and] [school].

B. (1) that the respondent shall immediately leave  my  our residence at

\_\_\_\_\_

(2) that the respondent provide me with temporary suitable alternative housing.

C. that the respondent shall not sell, remove, pawn, hide, destroy or damage any property owned by me or the two of us jointly.

D. that law enforcement officers assist me in retrieving my clothing and personal belongings from the residence at \_\_\_\_\_

E. that I be given temporary custody of the [child] [children] listed in this petition.

F. that until the court hearing:

respondent shall have the following contact with the [child] [children]:

\_\_\_\_\_

respondent shall have no contact with the [child] [children].

G. that the respondent shall pay:  
 support for the [child] [children].  
 support for me.

H. that the respondent shall pay me for the damage and medical bills resulting from the abuse.

I. other relief that is necessary to resolve this domestic abuse problem (*list or describe what relief is necessary*)

\_\_\_\_\_  
\_\_\_\_\_

J. the respondent be found to be a credible threat and be required to deliver any firearm in the respondent's care, custody, or control to a law enforcement officer or a federal firearms licensee.

**7. INFORMATION ABOUT THE PETITIONER (ME)**

*(If you do not want the respondent to know your address and phone number, do not include it on this form. Tell the court clerk that you need to complete two other forms (Forms 4-961A and 4-961B NMRA) for your name and address and request that the clerk place your address under seal.)*

**A. I DO NOT WANT RESPONDENT TO KNOW MY ADDRESS NOW OR AFTER THE HEARING FOR THE FINAL ORDER OF PROTECTION. I HAVE COMPLETED FORM 4-961B AND GIVEN IT TO THE COURT CLERK.**  
OR

B. My physical address is: \_\_\_\_\_ in the  County  Indian Country of \_\_\_\_\_, State of New Mexico.

My mailing address (*if different from above*):

\_\_\_\_\_  
(street address)

\_\_\_\_\_  
(city and zip)

My telephone numbers are:

Home

Work

Message

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**8. NOTICE TO RESPONDENT**

A. I have not told respondent that I am filing a petition to ask the court for an order of protection because I believe irreparable harm would result if I told respondent before coming to court. (*Describe what might happen to you or what you are afraid might happen if the respondent knew you were asking for a court order of protection.*)

\_\_\_\_\_  
\_\_\_\_\_

B. I have told respondent that I am filing this petition.

**9. LOCATION OF RESPONDENT**

A. Respondent may be found at:

\_\_\_\_\_ (address)

\_\_\_\_\_ (city)

\_\_\_\_\_ (state and zip code)

\_\_\_\_\_ (if in Indian Country, please name tribe or pueblo).

Respondent's:

\_\_\_\_\_ (date of birth)

\_\_\_\_\_ (home telephone number)

\_\_\_\_\_ (work address)

\_\_\_\_\_ (work telephone number).

B. Is respondent in jail?  yes  no

**VERIFICATION**

I, the Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner in the above-entitled cause; that I have read the petition for order of protection from domestic abuse; and that the contents of the petition are true and correct to the best of my information and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner



Form 4-961A  
(For use with Form 4-961, 4-962A and 4-972)

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
FIFTH JUDICIAL DISTRICT COURT

\_\_\_\_\_, Petitioner

VS.

No. \_\_\_\_\_

\_\_\_\_\_, Respondent

**SERVICE OF PROCESS INFORMATION FOR  
PETITION/COUNTER-PETITION FOR ORDER OF PROTECTION FROM  
DOMESTIC ABUSE AND PETITION FOR EMERGENCY ORDER OF PROTECTION**

**INFORMATION ABOUT THE  RESPONDENT     PETITIONER**

\_\_\_\_\_  
 Respondent's name

\_\_\_\_\_  
 Respondent's **DATE OF BIRTH**

Is  respondent  petitioner in jail?  yes  no  
If yes, where? \_\_\_\_\_

Respondent's physical address is:  
\_\_\_\_\_ (street address)

\_\_\_\_\_ (city)

\_\_\_\_\_ (county)

\_\_\_\_\_ (state and zip code)

Tribe  Pueblo of \_\_\_\_\_

Respondent's workplace:  
\_\_\_\_\_ (employer's name)

\_\_\_\_\_ (street address)

\_\_\_\_\_ (city)

\_\_\_\_\_ (county)

\_\_\_\_\_ (state and zip code)

Tribe  Pueblo of \_\_\_\_\_

Respondent  Petitioner works the following hours:

\_\_\_\_\_ (a.m.) (p.m.) to \_\_\_\_\_ (a.m.) (p.m.)

Respondent's \_\_\_\_\_ telephone numbers are :

**Home**

**Work**

**Message**

What does  respondent \_\_\_\_\_ look like?

Hair \_\_\_\_\_ (color) Eyes \_\_\_\_\_ (color)

Height \_\_\_\_\_ Weight \_\_\_\_\_

Race-ethnicity: \_\_\_\_\_

Other physical characteristics or marks:

Do you consider the  respondent \_\_\_\_\_ to be dangerous?

yes  no

If yes, why?

Does  respondent \_\_\_\_\_ have any weapons?  yes  no

If yes, please describe:

Places where  respondent \_\_\_\_\_ can be found apart from physical address and workplace:

*Date*

*Signature of Petitioner/*

*Petitioner's/ \_\_\_\_\_ street address  
(unless petitioner/respondent files Form 4-961B)*

*City, state and zip code  
(unless petitioner/respondent files Form 4-961B)*

(Approved, effective November 1, 1999 until July 1, 2001; approved, effective May 1, 2001; as amended by Supreme Court Order No. 08-8300-40, effective December 15, 2008.)

Does the Respondent have a vehicle? Yes \_\_\_\_\_ No \_\_\_\_\_

If you checked yes please give a description of the vehicle. \_\_\_\_\_

\_\_\_\_\_

Is there any other vehicles they may be in? \_\_\_\_\_

\_\_\_\_\_

Does the Respondent carry any weapons on them? If yes, please list what type. \_\_\_\_\_

\_\_\_\_\_

Do you believe the Respondent will be violent with law enforcement? If yes, list why. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Not for Public Record

4A-101. Domestic relations information sheet.

Case Number: D-503-DV-\_\_\_\_\_

**DOMESTIC RELATIONS INFORMATION SHEET<sup>1</sup>**  
**NOTE TO CLERK: DO NOT FILE THE INFORMATION SHEET**  
*Type or print responses. Required in all domestic relations cases.<sup>2</sup>*

**A. Petitioner's attorney information. (Complete only if Petitioner has an attorney.)**

Petitioner's name: \_\_\_\_\_  
Attorney's name: \_\_\_\_\_  
Attorney's address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**B. Information regarding petitioner and respondent. (Do not use an attorney's mailing address. Use a separate sheet if necessary.)**

**Petitioner**

Name: \_\_\_\_\_  
(Last name, first, middle)  
Other names (e.g. maiden name): \_\_\_\_\_

Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip code: \_\_\_\_\_  
Date of birth: \_\_\_\_\_  
Social Security number<sup>3</sup>: \_\_\_\_\_  
Email: \_\_\_\_\_

**Respondent**

Name: \_\_\_\_\_  
(Last name, first, middle)  
Other names (e.g. maiden name): \_\_\_\_\_

Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip code: \_\_\_\_\_  
Date of birth: \_\_\_\_\_  
Social Security number<sup>3</sup>: \_\_\_\_\_  
Email: \_\_\_\_\_

**C. Parties' minor children. (Provide the date of birth and social security number for each minor child, if any. Use a separate sheet if necessary.)**

Name: \_\_\_\_\_  
(Last name, first, middle)  
Date of birth: \_\_\_\_\_  
Social Security number: \_\_\_\_\_

Name: \_\_\_\_\_  
(Last name, first, middle)  
Date of birth: \_\_\_\_\_  
Social Security number: \_\_\_\_\_

Name: \_\_\_\_\_  
(Last name, first, middle)  
Date of birth: \_\_\_\_\_  
Social Security number: \_\_\_\_\_

Name: \_\_\_\_\_  
(Last name, first, middle)  
Date of birth: \_\_\_\_\_  
Social Security number: \_\_\_\_\_

**Not for Public Record**

# Not for Public Record

I affirm that this request is legitimately made and not designed to harass or intimidate the other party or mislead the court.

\_\_\_\_\_  
Signature of Petitioner

## END OF INFORMATION SHEET

### USE NOTE

1. The Domestic Relations Information Sheet is not required in domestic violence, commitment, guardianship, probate, or adoption actions; or if you are filing a pleading that does not change or add to the first pleading.

In uncontested domestic relations matters, the parties may submit one Information Sheet with the initial pleading, and the documents need not be served.

In all other contested domestic relations cases each attorney representing a petitioner, or the petitioner proceeding pro se, in a contested case must submit the Information Sheet and serve a blank copy of the Information Sheet on the respondent. Respondents must submit the completed Information Sheet with their first responsive pleading.

The information submitted on these forms does not replace or supplement the filing and service of pleadings or other papers required by law. These forms, approved by the Supreme Court of New Mexico, are required to initiate domestic relations cases and are used by the courts for case management.

Forms are available from the court clerks and the NMRA. Electronic copies may be obtained from the Supreme Court's internet site ([www.supremecourt.nm.org](http://www.supremecourt.nm.org)) and New Mexico Law on Disc. If re-keying the form it must appear substantially in the same format as the Supreme Court approved form. Type or print only. If using a word processing system, please print your answers in bold.

2. Unless there are more than four children, the Information Sheet is to be submitted on a single page. The clerk will key-enter the information on the Information Sheet. The Information Sheet will not be filed in the court file.

3. If the party has more than one social security number, please include it. Pursuant to Sections 27-1-10 and 27-1-11 NMSA 1978 and federal law, each party must submit the social security number of each party as well as the name, date of birth and social security number for each minor child. This information will be provided to the State Case Registry and, upon request, to child support enforcement agencies. The parties' addresses and social security numbers are also used to accurately identify and track court users, obtain feedback from court users on a periodic basis and to issue process in contempt proceedings. Addresses provided on this page will not be made a part of the public record unless that party is or becomes self represented.

4. The Child Support & Paternity Case Registry is a required, nationwide database of child support and paternity orders. Access to registry information is strictly limited to court and child support administrative personnel. Requesting that your registry information be "nondisclosed" does not prevent authorized parties from reviewing the information. Rather, it alerts courts and child support administrative personnel to act with caution when viewing your information. However, be aware that requesting "nondisclosure" of registry information does not limit access to your official district court case file which is a public record. If you are concerned about such access, ask your lawyer, or the court clerk if you do not have a lawyer, about ways in which the court may restrict access to your court file.

[Provisionally approved as 4-211 NMRA, effective November 1, 1999 until November 1, 2000; approved, as amended, effective November 1, 2000; as amended 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; as amended by Supreme Court Order No. 14-8300-011, effective for all cases filed on or after December 31, 2014.]

# Not for Public Record