

MESCALERO APACHE TRIBAL COURT  
MESCALERO APACHE RESERVATION, NEW MEXICO

**Check List**

**Child Support**

- Affidavit / Petition for Support**
- Proof of Custody (i.e.: school records, court order, etc.)**
- Copy of Birth Certificates for each child**
- Proof of Income**
  - **Current Income (3 most recent paycheck stubs)**
  - **Tax Returns (previous 2 years)**
- Child Care Receipts**
- Medical Expenses**
- Other Expenses Related to the Child (i.e.: extracurricular activities, sports, etc.)**
- Location of both parents**

To ensure that proper filing procedures are not interrupted, all documents listed above must be attached. Additional documentation may be required by the Judge during your hearing.

*Please keep in mind that the Tribal Court cannot advocate on your behalf. The Tribal Court does not represent the custodial parent or the non-custodial parent. If you disagree with the child support decision of the Court, it is your responsibility to advocate your position to the judge.*

MESCALERO APACHE TRIBAL COURT  
MESCALERO APACHE RESERVATION, NEW MEXICO

**COVER SHEET**

Type of Case: \_\_\_\_\_

**NAME OF PETITIONER(S):** \_\_\_\_\_

Social Security Number or Tribal Census Number: \_\_\_\_\_

Telephone Number or Message Number: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

RESIDENTIAL ADDRESS: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

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**NAME OF RESPONDENT(S):** \_\_\_\_\_

Social Security Number or Tribal Census Number: \_\_\_\_\_

Telephone Number or Message Number: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

RESIDENTIAL ADDRESS: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

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This information is necessary to process your case, and will remain confidential. If a civil action, the court will collect the cost for mailing, to mail the complaint to respondent by certified mail. A copy of the affidavit, a copy of the marriage license, contract(s), and other court documents is to be attached to your petition.

Thank you for your understanding. **The Mescalero Tribal Court**

MESCALERO APACHE TRIBAL COURT  
MESCALERO APACHE RESERVATION, NEW MEXICO

\_\_\_\_\_  
Complainant/Petitioner(s)

Vs.

\_\_\_\_\_  
Respondent

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

Address \_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
I, \_\_\_\_\_, the complainant in this cause state that the following statement(s)  
is/are true and correct to the best of my knowledge and belief:

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

I, \_\_\_\_\_ am seeking \_\_\_ Temporary child support \_\_\_ Permanent child support  
\_\_\_ Other: \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant/Petitioner

Print Name \_\_\_\_\_

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

Address \_\_\_\_\_  
\_\_\_\_\_

MESCALERO APACHE TRIBAL COURT  
MESCALERO APACHE RESERVATION, NEW MEXICO

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

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

Vs.

\_\_\_\_\_  
Respondent.

**Petition for  
Child Support**

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The Petitioner petitions the Mescalero Tribal Court for establishment of child support and prays based upon the records and pleadings, to determine an order for support.

**Petitioner**     I am the primary caretaker    or     I am the non-custodial parent

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_     Male     Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) Social Security Number: \_\_\_\_\_

Census Number: \_\_\_\_\_ Relationship to Child(ren):  Mother     Father     Other: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Ph: \_\_\_\_\_

Employer Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Employer Address: \_\_\_\_\_

**Respondent**

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_     Male     Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) Social Security Number: \_\_\_\_\_

Census Number: \_\_\_\_\_ Relationship to Child(ren):  Mother     Father     Other: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Ph: \_\_\_\_\_

Employer Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Employer Address: \_\_\_\_\_

**Children**

**#1** First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_     Male     Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) City of Birth: \_\_\_\_\_ State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Census Number: \_\_\_\_\_

Were the parents married to each other at the birth of the child?  Yes     No

Who currently has physical custody of this child? \_\_\_\_\_ Relationship: \_\_\_\_\_

#2 First Name: \_\_\_\_\_ MI: \_\_\_ Last Name: \_\_\_\_\_ Male \_\_\_ Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) City of Birth: \_\_\_\_\_ State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Census Number: \_\_\_\_\_

Were the parents married to each other at the birth of the child? \_\_\_ Yes \_\_\_ No

Who currently has physical custody of this child? \_\_\_\_\_ Relationship: \_\_\_\_\_

#3 First Name: \_\_\_\_\_ MI: \_\_\_ Last Name: \_\_\_\_\_ Male \_\_\_ Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) City of Birth: \_\_\_\_\_ State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Census Number: \_\_\_\_\_

Were the parents married to each other at the birth of the child? \_\_\_ Yes \_\_\_ No

Who currently has physical custody of this child? \_\_\_\_\_ Relationship: \_\_\_\_\_

#4 First Name: \_\_\_\_\_ MI: \_\_\_ Last Name: \_\_\_\_\_ Male \_\_\_ Female

Date of Birth: \_\_\_\_\_ (mm/dd/yyyy) City of Birth: \_\_\_\_\_ State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Census Number: \_\_\_\_\_

Were the parents married to each other at the birth of the child? \_\_\_ Yes \_\_\_ No

Who currently has physical custody of this child? \_\_\_\_\_ Relationship: \_\_\_\_\_

**Relationship**

Parents Relationship to each other: \_\_\_ Married \_\_\_ Divorced \_\_\_ Separated \_\_\_ Never Married \_\_\_ Widowed

**Marriage Information** (If parents were married to each other):

Marriage Date: \_\_\_\_\_ (mm/dd/yyyy) State: \_\_\_\_\_ Divorce Date: \_\_\_\_\_ (mm/dd/yyyy)

County of Marriage: \_\_\_\_\_ County of Divorce: \_\_\_\_\_

**Court Order Information** (if there is a court order, please provide the following information and a copy of the all court orders with a monthly payment record; a complete payment record is also required.)

Location of Court: \_\_\_\_\_ Case Number: \_\_\_\_\_

Mo./Ongoing Support: \$ \_\_\_\_\_ Date of Last Order: \_\_\_\_\_

Payment Due Date: \_\_\_\_\_ Total Arrears Judgment: \$ \_\_\_\_\_

Mo. Arrears Pymt: \$ \_\_\_\_\_

**Mescalero Child Support Enforcement Office (MATCSEO)**

Has an application been submitted to MATCSEO? \_\_\_ Yes \_\_\_ No If so, when? \_\_\_\_\_ (mm/dd/yyyy)

Has a court hearing taken place in regards to the application submitted to MATCSEO? \_\_\_ Yes \_\_\_ No

If so, when? \_\_\_\_\_ (mm/dd/yyyy)

## SECTION I

**Representation.** If I am unable to represent myself in my case; I have the option to seek Lay Counsel or apply with MATCSEO for assistance. The Tribal Court or its staff cannot represent me in this matter. The Court will represent the best interest of the child(ren).

**Paternity Establishment.** This step is necessary if paternity has not been previously determined. If the person you name as the father denies paternity, a genetic testing must be completed. Once paternity is proven, a court order for child support can be obtained.

**Establishment.** The fair amount of child support that a parent should pay is decided using child support guidelines. The needs of the child, the number of children who must be supported, and the ability of the parents to pay are all taken into consideration.

**Enforcement.** Once child support has been determined, collection may be through income withholding or direct payment. In some cases, the withholding of Tribal Dividend Payments may take place.

**Arrearages.** Upon termination of child support payments under the terms of an order, if arrearages are owed payments shall continue until all arrears are paid in full.

**Modification and Review.** All cases with support orders may be reviewed for modification once every four (4) years; at the written request of either party. The Court will share financial data with the non-custodial parent, even if the data indicates a downward adjustment would be appropriate.

**Overpayment.** You are personally liable for the return of any amounts you receive which were paid erroneously.

**Fraud.** Any applicant who intentionally gives misleading or false statements to the Court in an attempt to wrongfully collect support will be liable for prosecution.

## ACKNOWLEDGEMENT

- A. Applicant hereby affirms that all statements in this request for support are true and correct to the best of the applicant's knowledge.
- B. Applicant understands that all information provided to the Court is not confidential and may be revealed to the other party.
- C. Applicant understands that other issues of visitation, custody, property settlements or other issues are separate from the issue of Child Support.
- D. Applicant understands that if an Order is issued, it is the responsibility of the recipient to file with the court for any disobedience.

I have read and understand Section I and the above Acknowledgment and agree to all terms.

\_\_\_\_\_  
Petitioner –Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner-Applicant Printed Name