

A JOINT MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE
APPROPRIATE INTERIM COMMITTEE TO STUDY THE QUESTION OF ENACTING A
STATUTE OF LIMITATIONS FOR MAKING CERTAIN CHILD SUPPORT CLAIMS.

WHEREAS, the vast majority of noncustodial parents willingly and responsibly
meet their child support obligations; and

WHEREAS, state law currently allows claims for child support to be filed at any
time, which is necessary to ensure that noncustodial parents who cannot be identified
or located meet their financial obligations; and

WHEREAS, in other cases, the identity and location of a noncustodial parent is
known, but for a variety of reasons, a claim for support from such a noncustodial
parent is not made for many years, during which time the child of the noncustodial
parent may be raised in relative financial comfort nearly to the age of majority; and

WHEREAS, in those cases when the identity and location of a noncustodial
parent is known, a claim for child support should be filed in a timely fashion so that the
child is afforded to the maximum extent possible the financial support to which the child
is entitled; and

WHEREAS, it may be beneficial to consider a statute of limitations for filing
claims for child support when the noncustodial parent's identity and location is known
as long as such a statute balances the financial needs and rights of the child;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
STATE OF NEW MEXICO that the New Mexico legislative council be requested to direct
the appropriate interim legislative committee to study and make recommendations, if

H
J
M

1
0
5
P
a
g
e

1

any, to the next regular session of the legislature on the wisdom of enacting a statute
of limitations on filing for certain child support claims; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the
co-chairs of the New Mexico legislative council.

H
J
M

1
0
5
P
a
g
e

2