

4A-508. Ex parte order appointing temporary kinship guardian(s).

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, Petitioner(s)

No. _____

IN THE MATTER OF THE KINSHIP GUARDIANSHIP OF

_____,¹ (a) Child(ren) (*use initials only*), and concerning
_____, Respondent(s).

**EX PARTE ORDER APPOINTING
TEMPORARY KINSHIP GUARDIAN(S)
[] AND NOTICE OF HEARING**

THIS MATTER, coming before the court ex parte on _____ (*date*) on
Petitioner(s)' Ex Parte Motion to Appoint Temporary Kinship Guardian for the minor child(ren),
and the court being sufficiently advised, FINDS:

1. Section 40 10B 7 NMSA 1978 of the Kinship Guardianship Act allows this court to
appoint a temporary guardian ex parte on good cause shown, to serve for one hundred and eighty
(180) days.

2. A petition to appoint kinship guardian has been filed regarding the following children:

Child's name	Birth year	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Based on the Motion, there is good cause for the ex parte appointment of a temporary
guardian.

4. If a party files an objection to this Order and submits a copy to the assigned judge with a
request for hearing, the court shall schedule a hearing to be held within ten (10) days of the date
the objection is filed, as provided in Section 40-10B-7(C) NMSA 1978.

WHEREFORE IT IS ORDERED:

1. Petitioner(s) is/are appointed as the temporary guardian(s) of the following children:

Child's name	Birth year	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. The appointment of temporary kinship guardian(s) shall expire in one hundred and eighty (180) days from the date of the filing of this order or further order of this court, whichever occurs first.

3. The guardian(s) has/have the legal rights and duties of a parent except the right to consent to the adoption of the child(ren), as provided in Section 40 10B 13(A) NMSA 1978.

4. The parental rights and duties of _____ (*names of Respondents*) pertaining to the child(ren) are hereby temporarily suspended.

5. Visitation between the legal parents and the minor child(ren), or any other persons, shall be at the discretion of the guardian(s), as provided in Section 40 10B 13(B) NMSA 1978.

6. Petitioner shall immediately have the Petition to Appoint Kinship Guardian(s), this Ex Parte Order Appointing Temporary Kinship Guardian(s), and a copy of the summons personally served on each of the named Respondents.

7. Other orders: _____

8. A hearing on the Petition to Appoint Kinship Guardian is set for: _____

 District Court Judge

USE NOTES

1. Insert the initials of each child listed in the Petition to Appoint Kinship Guardian.

[Adopted by Supreme Court Order No. 16-8300-020, effective for all pleadings and papers filed on or after December 31, 2016; as amended by Supreme Court Order No. 22-8300-020, effective for all pleadings and papers filed on or after December 31, 2022.]