

4-994. Order to secure or waive bond.

[For use with Rule 1-140 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

In the matter of _____, **No. _____**
a Protected Person.

ORDER TO SECURE OR WAIVE BOND

THIS MATTER is before the Court on the petition of, _____, pro se or by and through her/his attorney, _____, to appoint a conservator for _____, the Protected Person in this matter. The Court, having granted the petition by separate order, FINDS:

1. The Court has appointed _____ as Conservator.
2. The Protected Person’s estate has an aggregate capital value, as defined in Section 45-5-411(B) NMSA 1978, of \$ _____.

The Court therefore ORDERS:

The Conservator shall post a surety bond in the amount of \$ _____ in accordance with Section 45-5-411 NMSA 1978. The Conservator may enlist the services of any insurance agent qualified to issue an A-1 surety bond in the State of New Mexico. The Court herewith provides a listing of available bond agents *but the Court makes no recommendation as to specific insurers.*

OR

The Conservator shall comply with the following alternative asset-protection arrangement, which has been approved and accepted by the Court: _____

OR

- The requirement to post a bond is waived because,
- A bond or alternative asset-protection arrangement is not necessary to protect the interests of the individual subject to conservatorship because _____

OR

- A bond is not required because the Conservator is a financial institution that possesses and is exercising general trust powers in New Mexico, as provided in Section 45-5-411(C) NMSA 1978.

IT IS SO ORDERED.

The Honorable _____
DISTRICT COURT JUDGE

Submitted by:

Attorney for Petitioner
Address

Copies to:

[Approved by Supreme Court Order No. 18-8300-005, effective for all cases on or after July 1, 2018.]