

4-988.

[Section 40-10B-8 NMSA 1978]

STATE OF NEW MEXICO

COUNTY OF _____

_____ JUDICIAL DISTRICT

No. _____

[Petitioner] [Petitioners]

v.

Respondent

IN THE MATTER OF THE GUARDIANSHIP

OF _____

**ORDER APPOINTING KINSHIP GUARDIAN
BY CONSENT¹
(paternity admitted)**

The court has reviewed the sworn petition for appointment of _____ [and _____] as kinship [guardian] [guardians] of above minor child and the consent of the respondents.

The court having considered the petition, **FINDS** that the court has jurisdiction and that:

1. The [petitioner is]² [petitioners are] _____ (*state the relationship*) of the above named child.

(*check applicable alternative*)

2. The child's mother has consented to the appointment of [a guardian] [guardians] for her child and the consent is filed with the court.²
 The child's mother is deceased.
 The child's mother's parental rights have been terminated by a prior court order.

(*check applicable alternative*)

3. The child's father has consented to the appointment of [a guardian] [guardians] for his child and the consent is filed with the court.²
 The child's father is deceased.
 The child's father's parental rights have been terminated by a prior court order.

4. The [petitioner] [petitioners] shall be appointed as the kinship [guardian] [guardians] of the child.

(check and complete applicable alternative)

- 5. The [petitioner has] [petitioners have] not requested child support.
- The parties have agreed to child support as follows: _____
_____.
- The parties have agreed to the following visitation:

_____.

IT IS SO ORDERED.

Date

District court judge

USE NOTES

- 1. This form order may be used if both parents have signed a Parental Consent to Appointment of Guardian and Waiver of Service of Process. It may also be used if one of the parents of the child is deceased or if the parent's parental rights have been terminated. If a parent is deceased, a copy of the death certificate must be filed in the kinship guardianship proceeding. If a parent's rights as a parent have been terminated by a court order, a copy of the order must be filed in the kinship guardianship proceeding. See Use Note 3 of Form 4-981 NMRA. See Forms 4-985 and 4-986 NMRA for parental consent forms.
- 2. Use only applicable alternative.

[Provisionally approved, effective August 15, 2003 until August 31, 2004; approved, October 14, 2004.]