

4-989.

[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 CONSENT<sup>1</sup>  
(paternity not 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 a grandparent] [petitioners are grandparents] [\_\_\_\_\_ (state the relationship)]<sup>2</sup> of the above named child.
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.
3. \_\_\_\_\_ (name of respondent) has not contested the appointment of [a guardian] [guardians] for this child and the consent is filed with the court.
4. The [petitioner] [petitioners] shall be appointed as the kinship guardians of the child.

(Check and complete applicable alternative.)

5. [ ] The [petitioner has] [petitioners have] not requested child support.

[ ] The mother has agreed to child support as follows:

\_\_\_\_\_  
\_\_\_\_\_.

[ ] The petitioners and \_\_\_\_\_ (*name of respondent*) 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.
2. See Section 40-10B-5 NMSA 1978 for persons who may file as a petitioner pursuant to the Kinship Guardianship Act. See also Civil Form 4-981 NMRA for relationship of the petitioners.

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