

4A-507. Ex parte motion to appoint 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), and concerning
_____, Respondent(s).

**EX PARTE MOTION TO APPOINT
TEMPORARY KINSHIP GUARDIAN(S)²**

Petitioner, _____, (*name of Petitioner(s)*), move(s) the Court to grant this Ex Parte Motion To Appoint Temporary Kinship Guardian for the minor child(ren). In support of the motion, Petitioner(s) state(s) as follows:

1. A Petition To Appoint Kinship Guardian(s) has been filed in this Court under the Kinship Guardianship Act for the following children:

Child's name _____ Age _____

2. Petitioner(s) incorporate all of the allegations contained in the Petition To Appoint Kinship Guardian(s).

3. Section 40-10B-7(C) NMSA 1978 of the Kinship Guardianship Act allows this Court to appoint a temporary guardian ex parte for good cause, to serve for one hundred and eighty (180) days or until the case is decided on the merits, whichever occurs first.

4. There is good cause to appoint a temporary guardian ex parte because (*explain why the Court should appoint a temporary guardian without a hearing*):

5. It is in the child(ren)'s best interests that Petitioner(s) be appointed the child(ren)'s temporary guardian(s) until a hearing on the Petition To Appoint Kinship

Guardian(s) is heard.

WHEREFORE, Petitioner(s) request(s) that the Court appoint Petitioner(s) as Temporary Kinship Guardian(s) of the minor child(ren), _____, to last one hundred and eighty (180) days or until a hearing on the merits is heard, whichever occurs first. If the Court does not grant an Order on this Ex Parte Motion for Temporary Kinship Guardianship, Petitioner(s) request(s) that a hearing be set within twenty (20) days of the filing of this motion as provided under Section 40-10B-7(B) NMSA 1978.

Submitted by,

Signature

Printed Name

Address

Phone number

Acknowledged, subscribed, and sworn to before me this _____ day of _____,

Notary Public

My commission expires:

USE NOTE

1. Insert the initials of each child listed in the Petition To Appoint Kinship Guardian.
2. An ex parte motion is used when one party asks the court to issue an order without hearing from the other party. This is used only for emergency purposes.