

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT COURT

_____,
Petitioner(s),

v.

_____,
Respondent(s).

PETITION FOR GRANDPARENT VISITATION

Petitioner(s) _____, request(s) the Court issue an Order Granting Grandparent Visitation of the minor child(ren), _____.

The Court has jurisdiction over the parties and subject matter of this cause of action. —

A. INFORMATION ABOUT THE PETITIONER(S)

1. Petitioner #1 Name and Address (*physical street address, city, state and zip code*):

2. Petitioner #2 Name and Address (*physical street address, city, state and zip code*):

3. Petitioner(s) is/are the ___ maternal ___ paternal grandparent(s) of the minor child(ren).

4. Petitioner(s) is/are seeking visitation with the minor child(ren).

B. INFORMATION ABOUT THE CHILD(REN)

1. First Child's Name: _____

a. Child's Address (*physical street address, city, state and zip code*):

b. Child's date of birth: _____

c. Has the child ever lived with Petitioner(s)? ___ Yes ___ No

1. If yes, was it for a period of three (3) or more months? ___ Yes
___ No

2. If yes, the child has lived with Petitioner(s) for ___ months.

3. If yes, the child was ____ years of age when he/she began living with Petitioner(s).
- d. Has this child been adopted, or is adoption sought, by another individual?
 1. If yes, what is the individual's relationship to the child?

2. Second Child's Name: _____
 - a. Child's Address (*physical street address, city, state and zip code*):

 - b. Child's date of birth: _____
 - c. Has the child ever lived with Petitioner(s)?
 1. If yes, was it for a period of three (3) or more months? ____ Yes
____ No
 2. If yes, the child has lived with Petitioner(s) for ____ months.
 3. If yes, the child was ____ years of age when he/she began living with Petitioner(s).
 - d. Has this child been adopted, or is adoption sought, by another individual?
 1. If yes, what is the individual's relationship to the child?

3. For additional children, add a separate sheet to this Petition.

C. INFORMATION ABOUT THE CHILD(REN)'S PARENTS (RESPONDENTS)

1. Respondent #1
 - a. _____ (*name of Respondent-Parent*)
is the parent of _____ (*child(ren)'s name(s)*).
 - b. This Respondent-Parent is ____ alive ____ deceased.
 - c. If Respondent-Parent is alive, list address (*physical street address, city, state and zip code*):

 - d. Has this Respondent-Parent's parental rights been terminated or relinquished? ____ Yes ____ No
2. Respondent #2
 - a. _____ (*name of Respondent-Parent*)
is the parent of _____ (*child(ren)'s name(s)*).

- b. This Respondent-Parent is ___ alive ___ deceased
c. If Respondent-Parent is alive, list address (*physical street address, city, state and zip code*):

- d. Has this Respondent-Parent's parental rights been terminated or relinquished? ___ Yes ___ No
3. Are the Respondent-Parents ___ married ___ unmarried and living together?
4. Is there a custody order between the child(ren)'s parents? ___ Yes ___ No ___ Do not know.

D. OTHER INFORMATION

1. Are there any other court cases involving the minor child(ren)? ___ Yes ___ No
a. If yes, please provide the case number: _____
b. If yes, please provide the type of case: _____
2. Do/does any other person(s) have or claim to have court ordered custody of the child(ren)? ___ Yes ___ No
3. Why is it in the best interests of the child(ren) that you be granted visitation?

WHEREFORE, Petitioner(s) respectfully request(s) an Order Granting Visits with Grandchild(ren).

VERIFICATION

Petitioner #1:

I, _____, the Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner in the above-entitled cause; that I have read the Petition for Grandchild Visitation; and that the contents of the Petition are true and correct to the best of my information and belief.

Signature of Petitioner #1

Date

Petitioner #2:

I, _____, the Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner in the above-entitled cause;

that I have read the Petition for Grandchild Visitation; and that the contents of the Petition are true and correct to the best of my information and belief.

Signature of Petitioner #2

Date

4-206. Summons.

[For use with District Court Civil Rule 1-004 NMRA]

SUMMONS	
District Court: _____ _____ County, New Mexico Court Address: Court Telephone No.:	Case Number: Judge:
Plaintiff(s): v. Defendant(s):	Defendant Name: Address:

TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA.) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at _____, New Mexico, this ____ day of _____, 20__.

CLERK OF COURT

By: _____
Deputy

Attorney for Plaintiff or Plaintiff pro se
Name:
Address:
Telephone No.:
Fax No.:
Email Address:

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 NMRA OF THE NEW MEXICO RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

RETURN¹

STATE OF NEW MEXICO)
)ss
COUNTY OF _____)

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ county on the _____ day of _____, _____, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant _____ (*used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

☐ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*).

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

☐ to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, (*used when the defendant is not presently at place of abode*) and by mailing by first class mail to the defendant at _____ (*insert defendant's last known mailing address*) a copy of the summons and complaint.

☐ to _____, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at _____ (*insert defendant's business address*) and by mailing the summons and complaint by first class mail to the defendant at _____ (*insert defendant's last known mailing address*).

☐ to _____, an agent authorized to receive service of process for defendant _____.

☐ to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant _____ (*used when defendant is a minor or an incompetent person*).

☐ to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or*

an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision).

Fees: _____

Signature of person making service

Title (if any)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer authorized
to administer oaths

Official title

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order No. 05-8300-001, effective March 1, 2005; by Supreme Court Order No. 07-8300-016, effective August 1, 2007; as amended by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013; as amended by Supreme Court Order No. 13-8300-022, effective for all cases pending or filed on or after December 31, 2013.]