1-003.2. Commencement of action; guardianship and conservatorship proceedings.

An action seeking court appointment of a guardian or conservator under NMSA 1978, Chapter 45, Article 5, Parts 3 or 4 shall be initiated by filing a petition for court appointment and shall name only one (1) alleged incapacitated person. An information sheet identifying persons entitled to notice and access to court records in a proceeding under NMSA 1978, Chapter 45, Article 5, Parts 3 or 4 [~~NMSA 1978~~] shall be submitted by the petitioner upon the filing of a petition to appoint a guardian or conservator. The information sheet shall be substantially in the form approved by the Supreme Court.

[Approved by Supreme Court Order No. 18-8300-005, effective for all cases filed, or pending but not adjudicated, on or after July 1, 2018; as amended by Supreme Court Order No. S-1-RCR-2023-00045, effective for all cases pending or filed on or after December 31, 2026.]

Committee commentary. — The information sheet required under this rule, Form 4-992 NMRA, is for administrative use only and is not made part of the record. The purpose of the information sheet is to assist court staff with identifying persons entitled to notice and access to court records under Rule 1-079.1(B)(2) and (C)(2) NMRA prior to the appointment of a guardian or conservator. *See also* NMSA 1978, §§ 45-5-303(K), 45-5-407(N) (providing that a person entitled to notice may access court records of the proceeding and resulting guardianship or conservatorship).

[Approved by Supreme Court Order No. 18-8300-005, effective for all cases filed, or pending but not adjudicated, on or after July 1, 2018.]