

1 **1-140. Guardianship and conservatorship proceedings; mandatory use of forms.**

2       A.     **Order determining persons entitled to notice of proceedings and**  
3 **access to court records.** When the court files an order appointing a guardian or  
4 conservator, the court shall file a separate order using Form 4-993 NMRA to identify all  
5 persons entitled to notice of the proceedings and access to court records following the  
6 appointment.

7       B.     **Order to secure or waive bond.** When the court files an order  
8 appointing a conservator, the court shall file a separate order using Form 4-994 NMRA  
9 directing the conservator to secure bonding or an alternative asset-protection arrangement  
10 or waiving the bonding requirement, as provided in Section 45-5-411 NMSA 1978.

11       C.     **Notice of bonding and corporate surety statement.** Unless waived by  
12 the court, a conservator shall file a separate notice of bonding using Form 4-995 NMRA.  
13 The notice of bonding shall be filed at the same time that an inventory or report is filed  
14 under Paragraphs E or F of this rule. A statement completed by the corporate surety using  
15 Form 4-995.1 NMRA shall be attached to a notice of bonding filed under this paragraph.

16       D.     **Guardian's report.** A guardian filing a ninety (90)-day, annual, or final  
17 report under Section 45-5-314 NMSA 1978 shall use Form 4-996 NMRA.

18       E.     **Conservator's inventory.** A conservator filing a ninety (90)-day inventory  
19 under Section 45-5-418 NMSA 1978 shall use Form 4-997 NMRA.

**GUARDIANSHIP RULES  
RULE 1-140**

**Supreme Court Approved  
January 14, 2019**

1           F.       **Conservator's report.** A conservator filing an annual or final report  
2 under Section 45-5-409 NMSA 1978 shall use Form 4-998 NMRA.

3           G.       **Notice of hearing and rights.** A person filing a petition to appoint a  
4 guardian or conservator shall use Form 4-999 NMRA to provide notice of the hearing on  
5 the petition and notice of the rights of the alleged incapacitated person as required under  
6 Sections 45-5-309 and 45-5-405 NMSA 1978.

7 [Approved by Supreme Court Order No. 18-8300-005, effective for all cases on or after  
8 July 1, 2018; provisionally amended by Supreme Court Order No. 18-8300-007, effective  
9 for all cases filed on or after October 15, 2018; approved by Supreme Court Order No.  
10 19-8300-001, effective January 14, 2019.]