

CHILDREN’S COURT FORMS
FORM 10-906
[NEW MATERIAL]

Supreme Court Approved
September 28, 2021

1 **10-906. Review hearing order.**
2 [For use with Rule 10-802 NMRA]

3
4 STATE OF NEW MEXICO
5 COUNTY OF _____
6 _____ JUDICIAL DISTRICT
7 IN THE CHILDREN’S COURT

8
9 STATE OF NEW MEXICO ex rel.
10 CHILDREN, YOUTH AND FAMILIES DEPARTMENT

11 No. _____
12 In the Matter of _____, An Eligible Adult

13
14 **REVIEW HEARING ORDER**

15
16 This matter came before the [Honorable _____] [Special Master _____], on
17 _____ (date) for a review. The New Mexico Children, Youth and Families Department (CYFD)
18 was represented by _____, children’s court attorney. _____ (name of
19 eligible adult) was [not] present [and] [but] was represented by attorney
20 _____. A court certified interpreter did [not] provide interpretation
21 services for the review.

22
23 The court has heard from the parties, reviewed CYFD’s report, is fully advised in the
24 matter, and FINDS:

- 25
26 1. The court has jurisdiction over the subject matter and the parties in this cause.
27
28 2. Under Section 32A-26-8(B) NMSA 1978, the eligible adult was [not] given an
29 opportunity to participate in this hearing in a meaningful manner.
30
31 3. CYFD submitted its report to the court with the transition plan attached. The report
32 addresses the progress made in meeting the goals of the transition plan, including an independent
33 living transition proposal.
34
35 4. CYFD has made active efforts to comply with the voluntary services and support
36 agreement and effectuate the transition plan as set forth in CYFD’s report to the Court and the
37 transition plan.

38 OR

- 39
40 4. CYFD has not made active efforts to comply with the voluntary services and
41 support agreement and effectuate the transition plan and the Court orders the following additional

1 services and support to achieve the goals of the transition plan and the goals of state and federal
2 law: _____
3 _____.

4
5 **IT IS THEREFORE ORDERED:**

6
7 1. CYFD shall make active efforts to comply with the voluntary services and support
8 agreement and effectuate the transition plan.

9
10 2. Supplemental orders are necessary to ensure CYFD is making active efforts to
11 achieve the goals of the transition plan and the goals of state and federal law as follows:
12 _____.

13
14 _____
15 District Court Judge

16
17 _____
18 *(Add signature lines for all attorneys in the case)*

19 **USE NOTES**

20
21 1. Transition plan means “a written, individualized plan developed collaboratively
22 between the department and the eligible adult that assesses the eligible adult's strengths and needs,
23 establishes goals and identifies the services and activities that will be provided to the eligible adult
24 to achieve the established goals, the time frames for achieving the goals and the individuals or
25 entities responsible for providing the identified services and activities as provided by rule.” NMSA
26 1978, § 32A-26-2(G). The transition plan should cover the following life domains: supportive
27 relationships and community connections, housing, education, finances and employment, daily life
28 skills and transportation, cultural and personal identity, physical and mental health, and
29 parenthood. The independent living transition proposal is integrated in the transition plan.

30
31 2. In Fostering Connections Act cases, the court does not approve, disapprove, or
32 adopt the transition plan created collaboratively by the department and the eligible adult. Instead,
33 the court ensures that CYFD has made active efforts to effectuate the transition plan by reviewing
34 the department’s efforts regarding each life domain and inquiring of the eligible adult about his or
35 her input into the plan and agreement with the plan, the plan’s implementation, and the
36 department’s efforts to assist the eligible adult in achieving his or her goals.

37
38 3. During the review hearing the court must determine, among other things, that the
39 department has complied with the Voluntary Services and Support Agreement (VSSA), which is
40 filed with the Fostering Connections Act petition. The VSSA establishes expectations for the
41 department related to eligibility for the Fostering Connections program, transition planning,

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1 release of financial, medical, and educational information, providing medical and behavioral
2 health coverage, and for the provision of maintenance payments, for the provision of case
3 management, maintenance of regular contact with and services for the eligible adult, and written
4 notice of any intended termination of the agreement.

5

6 [Provisionally adopted by Supreme Court Order No. 21-8300-007, effective November 12, 2021.]