1 **4A-505. Parental consent to appointment of kinship guardian and waiver of service of**
2 **process.**
3
4 STATE OF NEW MEXICO
5 COUNTY OF _____
6 _____ JUDICIAL DISTRICT
7
8 _____, Petitioner(s)
9
10   No. _____
11
12 IN THE MATTER OF THE KINSHIP GUARDIANSHIP OF
13
14 _____,[1] (a) Child(ren) (*use initials only*), and concerning
15 _____, Respondent(s).
16
17   **PARENTAL CONSENT TO APPOINTMENT OF KINSHIP GUARDIAN**
18   **AND WAIVER OF SERVICE OF PROCESS**
19
20   1.   I, _____ (*name of parent*), am the adoptive or
21 biological parent of _____(*name(s) of child(ren)*). [~~I have received a copy~~
22 ~~of the Petition To Appoint Kinship Guardian(s) filed by~~
23 _____ (*name(s) of Petitioner(s)*), and] I do hereby
24 knowingly and voluntarily consent to the following: (*select all that apply*)[2]
25
26   [ ]   The appointment of Petitioner(s) as TEMPORARY kinship guardian(s) for
27   no more than [~~180~~] one hundred eighty (180) days.
28
29   [ ]   The appointment of Petitioner(s) as PERMANENT kinship guardian(s).[3]
30
31   2.   I understand that the purpose of the guardianship is to establish a legal
32 relationship between _____ [(~~children~~)] (*child(ren)*) and
33 _____ (*Petitioner(s)*).
34
35   3.   I agree that it is in the child(ren)'s best interests that Petitioner(s) be named as the
36 child(ren)'s Kinship Guardian(s).
37
38   4.   I understand that while the guardianship is in effect, Petitioner(s) will have the
39 right to make all decisions about visitation and the health, education, and welfare of the
40 child(ren) unless otherwise ordered by the [~~Court~~] court.
41
42   5.   I understand that I might not have visitation and it may be up to Petitioner(s) if I

1 have visitation with my child(ren).

2

3   [5.] 6. [I waive the right to be served with the Petition, but]I request to be notified of
4 hearings in this case at the address listed below. I understand that I must notify the [Court] court
5 of any changes in my address.

6

7   [6.] 7. I understand that the [Court] court may require me to pay child support.

8

9   [7.] 8. I understand that I do not have to sign this consent form, and that I have the right
10 to appear in court to contest the guardianship.

11

12   [8.] 9. I understand that I may withdraw this consent before the [Court] court enters an
13 order granting the guardianship. I also understand that to withdraw my consent I must notify the
14 [Court] court in writing.

15

16   [9.] 10. I understand that if I desire at a later date to revoke the guardianship, I will have
17 to petition the [Court] court using Form 4A-512 NMRA and will have to prove that the
18 circumstances have changed and that revocation is in the child(ren)'s best interests.

19

20   _____

21   Signature of Respondent-parent

22

23   _____

24   Address

25

26   _____

27   Telephone number and email address

28 STATE OF NEW MEXICO   )
29   ) ss
30 COUNTY OF _____   )

31

32 Acknowledged, subscribed and sworn to before me this _____ day of _____, _____ by
33 _____, [the] Respondent-parent.

34

35   _____

36   Notary Public

37

38   My commission expires: _____

39

40   **USE NOTES**

41

42   1.   Enter the initials of each child listed in the Petition [To] to Appoint Kinship

1   Guardian.
2
3   2.   You may select either option or both options, depending [~~upon~~] <u>on</u> whether you
4   consent to the appointment of a temporary kinship guardian or a permanent kinship guardian or
5   both.
6
7   3.   As used in this form, a permanent kinship guardian is a guardian whose
8   appointment continues until the child's eighteenth birthday or until the guardianship is revoked
9   based [~~upon~~] <u>on</u> proof that the circumstances justifying the appointment have changed and that
10   revocation is in the child(ren)'s best interests.
11
12   [Provisionally approved, effective August 15, 2003 until August 31, 2004; approved, effective
13   January 20, 2005; 4-985 recompiled and amended as 4A-505 by Supreme Court Order No. 16-
14   8300-020, effective for all pleadings and papers filed on or after December 31, 2016<u>; as amended
15   by Supreme Court Order No. 22-8300-020, effective for all pleadings and papers filed on or after
16   December 31, 2022</u>.]