

DOMESTIC RELATIONS FORMS  
Form 4A-508

Supreme Court Approved  
November 1, 2022

4A-508. Ex parte order appointing temporary kinship guardian(s).

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_, Petitioner(s)

No. \_\_\_\_\_

IN THE MATTER OF THE KINSHIP GUARDIANSHIP OF

\_\_\_\_\_,<sup>1</sup> (a) Child(ren) (*use initials only*), and concerning  
\_\_\_\_\_, Respondent(s).

**EX PARTE ORDER APPOINTING  
TEMPORARY KINSHIP GUARDIAN(S)  
[ ] AND NOTICE OF HEARING**

THIS MATTER, coming before the [~~Court~~] court ex parte on \_\_\_\_\_  
(*date*) on Petitioner(s)' Ex Parte Motion [~~To~~] to Appoint Temporary Kinship Guardian for the  
minor child(ren), and the [~~Court~~] court being sufficiently advised, **FINDS:**

1. Section 40-10B-7 NMSA 1978 of the Kinship Guardianship Act allows this  
[~~Court~~] court to appoint a temporary guardian ex parte [~~upon~~] on good cause shown, to serve for  
one hundred and eighty (180) days.

2. A petition to appoint kinship guardian has been filed regarding the following  
children:

<b>Child's name</b>	<b><u>Birth Year</u></b>	<b>Age</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Based [~~upon~~] on the Motion, there is good cause for the ex parte appointment of a  
temporary guardian.

4. If a party files an objection to this Order and submits a copy to the assigned judge  
with a request for hearing, the court shall schedule a hearing to be held within ten (10) days of  
the date the objection is filed, as provided in Section 40-10B-7(C) NMSA 1978.

**WHEREFORE IT IS ORDERED:**

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1  
2 1. Petitioner(s) is/are appointed as the temporary guardian(s) of the following  
3 children:

4 <b>Child's name</b>	<b><u>Birth Year</u></b>	<b>Age</b>
5 _____	_____	_____
6 _____	_____	_____
7 _____	_____	_____

8  
9 2. The appointment of temporary kinship guardian(s) shall expire in one hundred  
10 and eighty (180) days from the date of the filing of this order or further order of this [~~Court~~  
11 court, whichever occurs first.

12  
13 3. The guardian(s) has/have the legal rights and duties of a parent except the right to  
14 consent to the adoption of the child(ren), as provided in Section 40-10B-13(A) NMSA 1978.

15  
16 4. The parental rights and duties of \_\_\_\_\_ (*names of*  
17 *Respondents*) pertaining to the child(ren) are hereby temporarily suspended.

18  
19 5. Visitation between the legal parents and the minor child(ren), or any other  
20 persons, shall be at the discretion of the guardian(s), as provided in Section 40-10B-13(B)  
21 NMSA 1978.

22  
23 6. Petitioner shall immediately have the Petition [~~Te~~] to Appoint Kinship  
24 Guardian(s), this Ex Parte Order Appointing Temporary Kinship Guardian(s), and a copy of the  
25 summons personally served on each of the named Respondents.

26  
27 7. Other orders: \_\_\_\_\_  
28 \_\_\_\_\_  
29 \_\_\_\_\_  
30 \_\_\_\_\_

31 8. A hearing on the Petition to Appoint Kinship Guardian is set for: \_\_\_\_\_  
32 \_\_\_\_\_  
33 \_\_\_\_\_.

\_\_\_\_\_  
District Court Judge

**USE NOTES**

34  
35  
36 1. Insert the initials of each child listed in the Petition [~~Te~~] to Appoint Kinship  
37 Guardian.

38  
39 [Adopted by Supreme Court Order No. 16-8300-020, effective for all pleadings and papers filed

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1 on or after December 31, 2016; as amended by Supreme Court Order No. 22-8300-020, effective  
2 for all pleadings and papers filed on or after December 31, 2022.]