

DOMESTIC RELATIONS FORMS
Form 4A-509

Supreme Court Approved
November 1, 2022

4A-509. Motion to appoint temporary kinship guardian(s).

STATE OF NEW MEXICO

COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, Petitioner(s)

No. _____

IN THE MATTER OF THE KINSHIP GUARDIANSHIP OF

_____,¹ (a) Child(ren) (*use initials only*), and concerning
_____, Respondent(s).

**MOTION TO APPOINT
TEMPORARY KINSHIP GUARDIAN(S)²**

Petitioner(s), _____, (*name of Petitioner(s)*), move(s) the [Court] court to grant this Motion [To] to Appoint Temporary Kinship Guardian for the minor child(ren) under the Kinship Guardianship Act. In support of the motion, Petitioner(s) state(s) as follows:

1. A Petition [To] to Appoint Kinship Guardian(s) has been filed in this [Court] court under the Kinship Guardianship Act for the following child(ren):

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

2. Petitioner(s) [~~incorporate~~] incorporate(s) all of the allegations contained in the Petition [To] to Appoint Kinship Guardian(s).

3. Petitioner(s) request(s) appointment of a temporary guardian(s) because (*explain why a temporary guardianship is requested before a final hearing is held on the Petition*):

_____.

4. It is in the child(ren)'s best interests that Petitioner(s) be appointed the child(ren)'s temporary guardian(s) until a hearing on the Petition [To] to Appoint Kinship

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Guardian(s) is heard.

WHEREFORE, Petitioner(s) request(s) that the [~~Court~~] court appoint Petitioner(s) as Temporary Kinship Guardian(s) of the minor child(ren).

Submitted by,

Signature

Printed Name

Address

Phone number and email address

VERIFICATION

Petitioner #1:

I, _____, [~~the~~] Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner in the above-entitled cause; that I have read the Petition to Appoint Temporary Kinship Guardian(s); and that the contents of the petition are true and correct to the best of my information and belief.

Date

Signature of Petitioner #1

Petitioner #2:

I, _____, [~~the~~] Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner in the above-entitled cause; that I have read the Petition to Appoint Temporary Kinship Guardian(s); and that the contents of the petition are true and correct to the best of my information and belief.

Date

Signature of Petitioner #2

VERIFICATION OF SERVICE³

I affirm under penalty of perjury under the laws of the State of New Mexico that on _____ (date), I (check the applicable item below and fill in all information)

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☐ mailed a copy of this motion by United States mail, postage prepaid, to:
Name: _____
Mailing address: _____
City, state, and zip code: _____;

☐ delivered a copy of this motion to _____ (*the other party or the other party's attorney*); or

☐ emailed ~~faxed~~ a copy of this motion to _____ (*the other party or the other party's attorney*) using the following ~~fax number~~ email address:
_____. ~~[The transmission was reported as complete and without error.]~~
The time and date of the ~~transmission~~ email was _____ (a.m.) (p.m.) on
_____ (date).

Signature of person who made service

Date of signature

USE NOTES

1. Insert the initials of each child listed in the Petition ~~[To]~~ to Appoint Kinship Guardian.

2. This motion may be filed at the same time as, or at anytime after, the Petition to Appoint Kinship Guardian is filed.

3. All respondents must be served with this motion unless the respondent(s) has/have signed a Parental Consent to Appointment of Guardian and Waiver of Service of Process, Form 4A-505 NMRA. The Children, Youth and Families Department must be served with a copy of this motion if it has custody of the minor child(ren).

[Provisionally approved, effective August 15, 2003 until August 31, 2004; approved, effective January 20, 2005; 4-984 recompiled and amended as 4A-509 by Supreme Court Order No. 16-8300-020, effective for all pleadings and papers filed on or after December 31, 2016; as amended by Supreme Court Order No. 22-8300-020, effective for all pleadings and papers filed on or after December 31, 2022.]