

10-702. Probable cause determination.

[For use with Rules 10-221 and 10-222 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT
IN THE CHILDREN'S COURT

In the Matter of _____, a Child.

No. _____

PROBABLE CAUSE DETERMINATION

*(For use only if the child
has been arrested without a warrant
and has not been released)*

Finding of probable cause

I find that there is probable cause to believe that an offense has been committed by the above-named child.

IT IS ORDERED that the child be:

- detained
- detained, unless after the preliminary inquiry the juvenile probation officer determines that release is appropriate.
- released on personal recognizance.
- released on the conditions of release set forth in the release order.
- _____

Failure to make showing of probable cause

I find that probable cause has not been shown that an offense has been committed by the above-named child. It is therefore ordered that the child be immediately discharged from custody.

Date

Judge

USE NOTES

This form may be used for any child taken into custody. If the child has a right to bail, the amount of bail and any conditions of release must also be determined. This form is not necessary if the child was arrested on an arrest warrant or a finding of probable cause is endorsed by the judge on the petition or on a statement of probable cause.

[Adopted, effective November 1, 1995; 10-431 recompiled and amended as 10-702 by Supreme Court Order No. 16-8300-017, effective for all cases pending or filed on or after December 31, 2016.]