

10-503. Motion for ex parte custody order.

[For use with Rule 10-311 NMRA]

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

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

No. _____

In the Matter of

_____, (a) Child(ren), and Concerning
_____, Respondent(s).

MOTION FOR EX PARTE CUSTODY ORDER

Petitioner respectfully requests that the Court issue an ex parte custody order based on the affidavit for ex parte custody order, which is attached and made part of this motion. In support of this motion, Petitioner states as follows:

1. The facts stated in the affidavit establish probable cause to believe _____ (*name(s) of child(ren)*) has/have been [abused] [and] [neglected], that custody under the criteria set forth in Section 32A-4-18 NMSA 1978 is necessary, and that it would be contrary to the welfare of the child(ren) to remain in the home.
2. The Children, Youth and Families Department (CYFD) has made reasonable efforts to prevent the removal of the child(ren) from the home.
3. It is necessary for the protection and in the best interests of the child(ren) that he/she/they either be placed in the custody of CYFD, or remain in the custody of CYFD pending further order of the Court.

Children's Court Attorney

Address

Telephone number

[Approved, effective August 1, 1998; 10-450 recompiled and amended as 10-503 by Supreme Court Order No. 14-8300-009, effective for all cases filed or pending on or after December 31, 2014.]