**10-514. Order for service of process by publication or other alternative method.**

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).

**ORDER FOR SERVICE OF PROCESS**

**BY PUBLICATION OR OTHER ALTERNATIVE METHOD**

Petitioner, the Children, Youth and Families Department, has filed a motion requesting that the Court approve service of process upon \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) by [publication in a newspaper of general circulation] [and] [by alternative method].

The Court finds that Petitioner has made diligent efforts to make personal service of process upon \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*), but has not been able to do so as provided by Rule 10-103 NMRA.

The Court finds that a newspaper of general circulation in this county where the action is pending is most likely to apprise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) of the existence and pendency of this action.

**OR**

The Court finds that a newspaper of general circulation in this county where the action is pending is not the newspaper most likely to apprise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) of the existence and pendency of this action and that a newspaper of general circulation in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*county and state*) is most likely to do so.

**OR**

The Court finds that an alternative method is most likely to apprise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) of the existence and pendency of this action.

THEREFORE, IT IS HEREBY ORDERED: (*Check all that are applicable*)

[ ] Petitioner shall serve process on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) by publication once a week for three (3) consecutive weeks in a newspaper of general circulation in this county and state.

[ ] Petitioner shall also serve process on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) by publication once a week for three (3) consecutive weeks in a newspaper of general circulation in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*county and state*).

[ ] Petitioner shall file proof of service with a copy of the affidavit of publication when service has been completed.

[ ] Petitioner shall serve process on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Respondent*) by the following alternative method that is reasonably calculated under all of the circumstances to apprise Respondent of the existence and pendency of the action and afford a reasonable opportunity to appear and defend:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Court Judge

[Adopted by Supreme Court Order No. 14-8300-009, effective for all cases filed or pending on or after December 31, 2014.]