

10-515. Notice of pendency of action by publication.

[For use with Rule 10-103 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).¹

NOTICE OF PENDENCY OF ACTION BY PUBLICATION²

TO: _____, Respondent(s).

**If you need help reading this document, you can call _____,
and the court will appoint an interpreter for you at no charge.**

**Si usted necesita ayuda para leer este documento, puede llamar _____,
y el tribunal le nombrará un intérprete sin costo.**

YOU ARE HEREBY NOTIFIED that an abuse/neglect petition has been filed against you in the above-named court and county by the State of New Mexico. In the petition, the New Mexico Children, Youth and Families Department alleges that you have neglected and/or abused _____ (*initials of child(ren)*), [a] child(ren), and seeks legal custody of the child(ren).

YOU ARE FURTHER NOTIFIED that this matter will be heard in the children’s court division of the district court in _____ County, New Mexico, no sooner than twenty (20) days after the last publication date of this notice.

The name, address, and telephone number of the attorney for the petitioner is:

**THIS PROCEEDING MAY RESULT IN TERMINATION
OF YOUR PARENTAL RIGHTS.**

Date: _____

USE NOTE

1. Use the full name of the party who is being served by publication. For any other party listed in the caption, use only the initials of the party’s first and last name.

2. This form is to be used for service by publication. *See* Rule 10-103(F), (H), (I) NMRA; *see also* Form 10-516 NMRA. The frequency and duration of publication of the notice of pendency of action is once a week for three (3) consecutive weeks as required by Rule 10-103(I) NMRA unless otherwise ordered by the court. The matter cannot be heard any sooner than twenty (20) days after the last publication because the respondent has twenty (20) days to respond under Rule 10-322 NMRA.

If service cannot be accomplished by traditional means, the court is authorized under Rule 10-103(H) NMRA to order service of process by other alternative methods or combinations of methods “reasonably calculated under all of the circumstances to apprise the respondent of the existence and pendency of the action and afford a reasonable opportunity to appear and defend.”

[As amended, effective September 1, 1995; 10-402 recompiled and amended as 10-515 by Supreme Court Order No. 14-8300-009, effective for all cases filed or pending on or after December 31, 2014; as amended by Supreme Court Order No. 18-8300-011, effective for all cases pending or filed on or after December 31, 2018.]