

10-705. Summons to parent or custodian or guardian – Delinquency Proceeding.

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

In the Matter of _____, a Child. No. _____

**SUMMONS TO PARENT OR CUSTODIAN OR GUARDIAN
DELINQUENCY PROCEEDING¹**

TO: _____
Name of parent or custodian or guardian

Address

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

YOU ARE ORDERED TO PERSONALLY APPEAR before the Children’s Court
Division of the District Court at _____ (*set forth address of court*) on
_____ (*date*) at the hour of _____ (a.m.) (p.m.) to participate in these proceedings.

If you do not appear at the time and place set forth above, you may be held in contempt of court
and punished by fine or imprisonment.

YOU ARE NOTIFIED that a petition has been filed in this court alleging that you are the
[parent] [custodian] [guardian] of a child who is alleged to have

[] committed the following delinquent acts _____ (*common name and
description of each delinquent act*).

[] violated [his] [her] conditions of probation by _____ (*briefly describe
conditions imposed and acts violating those conditions*).

Attached to this summons is the petition alleging delinquency [and the motion to join
parent/custodian/guardian as a party]¹.

Service of this summons shall be by mail unless otherwise ordered by the court.

Dated this _____ day of _____, _____.

Clerk, District Court

Children's Court Division

Address

Telephone number

CERTIFICATE OF MAILING

I certify that I mailed a copy of the summons and a copy of the petition filed herein to:

Name of parent or custodian or guardian

Address

City and zip code

on the _____ day of _____, _____.

Signature of Children's Court Attorney

Title

CERTIFICATE OF PROCESS SERVER²

I, _____, certify that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in the State of New Mexico on the _____ day of _____, _____, by delivering a copy thereof, with a copy of petition [and a copy of the motion to join the parent/custodian/guardian as a party]¹ attached, in the following manner:

(check one box and fill in appropriate blanks)

by delivering the summons and petition to _____ *(set forth name of parent or custodian or guardian to be served)*. *(This alternative is used when the person to be served is served or refuses to accept summons)*.

by delivering the summons and petition to _____, a person of suitable age and discretion then residing at the usual place of abode of _____ *(set forth name of parent or custodian or guardian served)*.

by delivering the summons, petition and motion to _____ *(if another manner of service has been ordered by the court, set forth how served)*.

Signature of person making service

Title (*if any*)

USE NOTE

1. This form is to be used for service on a parent, custodian, or guardian of a child alleged to have committed a delinquent act. A copy of the summons and petition must be served on the respondent. If a written motion to join the parent has been filed with the court, it must also be served with the summons and petition on the respondent and the parent.

2. To be completed only if personal service is ordered by the court.

[Adopted, effective September 1, 1995; 10-404A recompiled and amended as 10-705 by Supreme Court Order No. 16-8300-017, effective for all cases pending or filed on or after December 31, 2016.]