

10-602. Guardian *ad litem* certification of [continued] [admission] [placement] for [residential treatment] [habilitation].

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

**GUARDIAN AD LITEM CERTIFICATION
OF [CONTINUED] [ADMISSION] [PLACEMENT] FOR
[RESIDENTIAL TREATMENT] [HABILITATION]¹**

_____, guardian *ad litem* for the above child, certifies pursuant to Section 32A-6A-20 NMSA 1978 the following:

1. _____ (*initials and date of birth of child*) was admitted to _____ (*place admitted*) on _____ (*date*).
2. The child was advised of the child's rights on _____ (*date*).
3. Pursuant to Section 32A-6A-20 NMSA 1978, I certify that I have met with the child, the child's legal custodian, and the child's clinician and that I have determined the following: (*provide a detailed factual explanation for each*)
 - a. On _____ (*date*), I met with the child's parent, guardian, or legal custodian, _____ (*name*), who [does] [does not] understand and [does] [does not] consent to the child's admission to a [residential treatment] [habilitation] program.²
 - b. The admission [is][is not] in the child's best interests because

_____.
 - c. The admission [is][is not] appropriate for the child because

_____.
 - d. The admission [is][is not] consistent with the least restrictive means principle because

_____.
 - e. The child's clinician [does][does not] recommend [continued] admission because

_____.

4. Based on the above determination, I recommend the following: (*choose only one option*)
- a. The child should [continue to] be admitted to a [residential treatment] [habilitation] program because all of the requirements in Paragraph Three (3), above, have been satisfied.
 - b. The child should be discharged immediately or the facility should immediately initiate involuntary commitment proceedings because one or more of the requirements in Paragraph Three (3) have not been satisfied.

Date

Attorney's signature

Address

Telephone number

Guardian *ad litem* (signature)

Address

Telephone number

USE NOTES

1. This form shall be filed upon the admission or placement of the child in a residential treatment or habilitation program and every sixty (60) days after the date of the child's initial admission or placement. See NMSA 1978, § 32A-6A-20(H), (K).

2. If the child's parent, guardian, or legal custodian could not be found, the guardian *ad litem* must recommend discharge or the initiation of involuntary commitment proceedings as provided in Paragraph 4(b).

[Approved, effective July 1, 2002; 10-493 recompiled and amended as 10-602 by Supreme Court Order No. 14-8300-009, effective for all cases filed or pending on or after December 31, 2014.]