

**10-513. Motion for service by publication or other alternative method on \_\_\_\_\_ (name).**

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 SERVICE BY PUBLICATION  
OR OTHER ALTERNATIVE METHOD ON \_\_\_\_\_ (NAME)**

COMES NOW Petitioner, the Children, Youth and Families Department, and moves the Court for the following: (*Check applicable options*)

Pursuant to Paragraphs H and I of Rule 10-103 NMRA, Petitioner moves the Court, without notice, to order service by publication on \_\_\_\_\_ (*name of Respondent*). A copy of the proposed notice of pendency of action is attached to this motion, to be published once a week for three (3) consecutive weeks.

Pursuant to Paragraph H of Rule 10-103 NMRA, Petitioner moves the Court, without notice, to order service by an alternative method on \_\_\_\_\_ (*name of Respondent*) 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 as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Based upon the attached affidavit(s), Petitioner states that after diligent inquiry and search efforts, personal service cannot reasonably be made by Petitioner upon \_\_\_\_\_ (*name of Respondent*) as provided by Paragraph F of Rule 10-103 NMRA.

\_\_\_\_\_  
Children's Court Attorney

\_\_\_\_\_  
Address

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Telephone number

## USE NOTES

Service by publication is a recognized method under Rule 10-103 NMRA for giving notice when traditional methods of service cannot be accomplished, including service by publication in another jurisdiction. However, 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” if service cannot be accomplished by traditional means. In addition to, or in lieu of, service by publication, the practitioner and court should consider other alternative methods of service if they are more likely to give the respondent notice of the action and an opportunity to be heard.

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