



Administrative Office of the Courts

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STATE LAW AND COURT RULES CHANGING IN GUARDIANSHIP AND CONSERVATORSHIP CASES

SANTA FE – Guardians and conservators will be required to submit additional information about a protected person’s finances and health in reports to district courts under new rules and forms approved by the New Mexico Supreme Court.

It will be mandatory starting July 1 that guardians and conservators use the forms specified in court procedural rules. Changes in rules and forms were necessary to implement improvements in the adult guardianship system under a new state law that takes effect next month.

Legislatively approved amendments to the Uniform Probate Code will:

- Impose bonding requirements on conservators to help safeguard a protected person’s assets.
- Open court hearings in guardianship and conservatorship proceedings that previously were closed.
- Expand access to court records for family members and others who are entitled to notice of guardianship proceedings under the new statutory requirements.

The Supreme Court has approved new and amended rules to carry out those provisions.

Court-appointed guardians make personal and health care decisions for individuals who are incapacitated. Conservators are appointed by a court to manage the finances and possibly the property of an incapacitated person, including those who may have dementia, traumatic brain injuries, a developmental disability or mental illness.

The new forms and information about guardianship system changes are available on the Judiciary's website at: <https://adultguardianship.nmcourts.gov>.

The full text of the rules can be viewed on the New Mexico Compilation Commission's website by clicking [here](#). The full text of the forms can be viewed online by clicking [here](#).

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