PARENT / LEGAL GUARDIAN NOTICE

NOTICE OF LIMITED NONCONSENT

Request for Written Child Protection Information | NEW MEXICO

Date: [Date] Parent / guardian: [Full legal name]

Mailing address: [Street, city, state, ZIP] Email / phone (optional): [Contact]

To: New Mexico Children, Youth and Families Department (CYFD), Protective Services Division

Re: [Child initials / investigation reference]

To the assigned child protection worker and supervisor:

CYFD may investigate screened-in reports. I request the specific parent-rights explanation required at the start of the investigation and an accurate record of each separate consent choice.

LIMITED CONSENT DECISIONS

I do not give blanket advance consent to voluntary adult interviews, consensual nonemergency home entry or search, optional adult testing or evaluations, blanket release of my private records, or voluntary services or safety plans. Please explain each request and its legal basis separately so I can decide after reviewing it and, if needed, consulting counsel. This statement does not override a court order, independently authorized child interview, lawful investigation or emergency intervention.

STATE-SPECIFIC RIGHTS, EXCEPTIONS, AND DEADLINES

- Under 8.10.3.12(F) NMAC, before an abuse/neglect petition, parental interactions with PSD are voluntary; PSD still investigates screened-in reports and explains allegations, confidentiality and protective authority.
- Under 8.10.3.11-.12 NMAC, public schools permit qualifying child interviews without parental permission, home interviews require parental permission, and children age 14+ must agree. Advance parent notice has safety/integrity exceptions; then notice is due within 24 hours.
- IMPORTANT APPEALS: For a substantiated investigation NOT subject to a pending children's court case, 8.10.3.22(B) requires a WRITTEN request for PSD administrative review WITHIN 10 DAYS of agency action or notice of proposed action. If upheld, subsection (C) allows a separate WRITTEN hearing request to the PSD director's office WITHIN 10 DAYS of that action. Read each notice promptly.

PLEASE PROVIDE IN WRITING

- The allegations that may lawfully be disclosed; child-interview and parental-rights notices under 8.10.3.11-.12; current complaint-process information.
- The worker/supervisor business contacts, case number, any proposed testing, record releases, entry, or safety plan and claimed authority for compulsory steps.
- The written investigation-results notice; correct address/form for the first 10-day administrative review and, if applicable, the separate 10-day hearing request; and all records access procedures.

Please include this notice in the case file and confirm receipt. I request routine nonurgent correspondence in writing. For urgent child-safety concerns, please contact me promptly through an appropriate available method.

Signature: _____ Date: _____

Printed name: _____

LEGAL REFERENCES: NMSA §§ 32A-4-4, 32A-4-5; 8.10.3.10-.12, 8.10.3.17, 8.10.3.22 NMAC.

LIMITATION / LEGAL REVIEW HOLD: The 10-day stages apply only to qualifying substantiations; other review routes may differ. Preserve actual notices and seek immediate legal advice. Working draft, not attorney-certified.

IMPORTANT - NO APPEAL FILED: This notice does not file an appeal, hearing request, grievance, or court petition; it does not pause any deadline. Follow the case-specific notice and filing instructions.