

**4-994. Order to secure or waive bond.**

[For use with Rule 1-140 NMRA]

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

In the matter of \_\_\_\_\_,  
a Protected Person.

No. \_\_\_\_\_

**ORDER TO SECURE OR WAIVE BOND**

THIS MATTER is before the Court on the petition of \_\_\_\_\_, pro se or by and through her/his attorney, \_\_\_\_\_, to appoint a conservator for \_\_\_\_\_, the Protected Person in this matter. The Court, having granted the petition by separate order, FINDS:

1. The Court has appointed \_\_\_\_\_ as Conservator.
2. The Protected Person's estate has an aggregate capital value, as defined in Section 45-5-411(B) NMSA 1978, of \$ \_\_\_\_\_.

The Court therefore ORDERS:

- The Conservator shall post a surety bond in the amount of \$ \_\_\_\_\_ in accordance with Section 45-5-411 NMSA 1978. The Conservator may enlist the services of any insurance agent qualified to issue an A-1 surety bond in the State of New Mexico. The Court herewith provides a listing of available bond agents *but the Court makes no recommendation as to specific insurers.*

OR

- The Conservator shall comply with the following alternative asset-protection arrangement, which has been approved and accepted by the Court: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OR

- The requirement to post a bond is waived because,
- A bond or alternative asset-protection arrangement is not necessary to protect the interests of the individual subject to conservatorship because \_\_\_\_\_  
\_\_\_\_\_

OR

- A bond is not required because the Conservator is a financial institution that possesses and is exercising general trust powers in New Mexico, as provided in Section 45-5-411(C) NMSA 1978.

IT IS SO ORDERED.

\_\_\_\_\_  
The Honorable \_\_\_\_\_  
DISTRICT COURT JUDGE

Submitted by:

\_\_\_\_\_  
Attorney for Petitioner  
Address

Copies to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Approved by Supreme Court Order No. 18-8300-005, effective for all cases on or after July 1, 2018.]