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SENATE BILL 555

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO DOMESTIC VIOLENCE; PROVIDING FOR AN APPEARANCE BY A
MINOR FOURTEEN YEARS OF AGE OR OLDER TO PETITION FOR OR OPPOSE
AN ORDER OF PROTECTION; ENACTING A NEW SECTION OF THE FAMILY
VIOLENCE PROTECTION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Family Violence
Protection Act is enacted to read:

" [NEW MATERIAL] PETITION FOR AN ORDER OF PROTECTION--
APPEARANCE BY A MINOR FOURTEEN YEARS OF AGE OR OLDER. --

A. A minor fourteen years of age or older may
appear in court without being accompanied by a parent, guardian
or guardian ad litem to petition the court for an order of
protection or to oppose an order of protection.

B. The court, upon its own motion, may appoint a

underscored material = new
[bracketed material] = delete

1 representative for a minor to assist the minor with a petition
2 for an order of protection or the minor's action to oppose an
3 order of protection. The appointment of a representative for a
4 minor shall not delay the proceedings.

5 C. If the court issues an order of protection and
6 the minor is residing with a parent or guardian, the court
7 shall send a copy of the order of protection to a parent or
8 guardian designated by the minor. The court is not required to
9 send a copy of an order of protection to more than one parent
10 or guardian of a minor.

11 D. The court may elect not to provide a copy of an
12 order of protection to a parent or guardian of a minor if, in
13 the court's judgment, it would not be in the best interests of
14 the minor. "

15 Section 2. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2003.