

## RESOURCE GUIDE - ADOPTION LAW IN NEW MEXICO

New Mexico's adoption law is set forth under [Ch. 32A, art. 5 NMSA 1978](#) ("Adoption Act"). The stated purposes of the Adoption Act are threefold: "A. establish procedures to effect a legal relationship between a parent and adopted child that is identical to that of a parent and biological child; B. provide for family relationships that will give the adopted child protection and economic security and that will enable the child to develop physically, mentally and emotionally to the maximum extent possible; and C. ensure due process protections." [Section 32A-5-2 NMSA 1978](#).

### Procedure

Adoption procedures are described under Sections 32-5-25 to 35-2-40 NMSA 1978 of the Adoption Act. Some provisions that give further information on filing a petition for adoption include [Section 32A-5-25](#) requiring that a "petition for adoption shall be filed within sixty days of the adoptee's placement into the proposed adoptive home if the adoptee is under the age of one year". [Section 32A-5-26](#) describes in detail the contents of a petition for adoption. [Section 32A-5-28](#) specifies the contents of a response to a petition for adoption. [Section 32A-5-32](#) describes the procedures for and requirements of stepparent adoptions.

### Forms

The State of New Mexico does not publish official adoption forms for the entire state. The Second District Court located in Bernalillo County [has published some adoption forms on its website](#). For those New Mexicans outside of Bernalillo County seeking adoption forms, you can contact the Supreme Court Law Library by email at [libref@nmcourts.gov](mailto:libref@nmcourts.gov) and by phone at (505) 827-4850 and we can provide you with a sample form. We recommend consulting with a licensed New Mexico Attorney to ensure that your documents comply with New Mexico law.

### Other State Agencies

Other state agencies that regulate aspects of the adoption process include the [Department of Children, Youth and Families \(CYFD\)](#) and the [New Mexico Department of Health](#) (Bureau of Vital Records and Health Statistics).

## Library Resources

You are welcome to visit the Law Library and browse our collection of print and electronic resources covering adoption law. Titles include:

[\*The ABA consumer guide to adopting a child : everything you need to know for a successful adoption\*](#) by Robert A. Kasky and Jeffrey A. Kasky.

[\*Advanced issues in adoption law\*](#).

[\*Children and the law in a nutshell\*](#) by Douglas E. Abrams, Sarah H. Ramsey, Susan Vivian Mangold.

[\*Handling child custody, abuse and adoption cases\*](#) by Ann M. Haralambie.