

PROCEDURE FOR FILING A MOTION FOR TELEPHONIC APPEARANCE

1. Complete the following forms in the packet:
 - a. Motion for Telephonic Appearance
 - b. Request for Hearing
 - c. Notice of Hearing
 - d. Request for Interpreter (*If Applicable*)
 - e. Order Allowing Telephonic Appearance

NOTE: *When you file a Motion for Telephonic Appearance you are required to seek approval from all opposing parties. If all parties agree and are able to approve/sign the Motion and Order, you are only required to submit the Motion and Order. You would then write the word "stipulated" at the top of the Order and all parties would need to sign the document. If you cannot get approval/signatures of the opposing parties, then you are required to submit all the above forms (paragraph 1, a through e) with copies, and stamped and addressed envelopes, as listed in the steps below.*

2. Prepare the documents listed above. Include the Request for Interpreter form if either party will require someone to interpret for them at the hearing (i.e., Spanish, Sign Language, etc.). Prepare an original set of documents plus three (3) sets of copies of each form. Sort the documents according to title; place the stapled original on top with the matching stapled copies underneath and paper clip them all together.

NOTE: *If the State of New Mexico (HSD) is a Petitioner or an Intervenor, they must be included as a party entitled to notice and four (4) sets of copies should be submitted for filing.*

3. Prepare three (3) stamped and addressed legal sized envelopes. Two (2) envelopes should be stamped and addressed to the opposing party (or his/her attorney) and one (1) envelope should be addressed to you. If the opposing party is not represented by an attorney and does not have a home address, it is acceptable to use their work address or their parent's address.

NOTE: *If the State of New Mexico is a Petitioner/Intervenor, prepare five (5) stamped and addressed legal sized envelopes: two (2) envelopes stamped and addressed to the opposing party (or his/her attorney), two (2) addressed to the State, and one (1) addressed to you.*

4. Submit your documents for filing to **Domestic Relations, Room 119, First Floor**, of the Bernalillo County Courthouse, located at 400 Lomas Blvd. NW, Albuquerque, New Mexico, between the hours of **8:00 A.M. - 4:00 P.M., Monday through Friday**. Or, if you reside out- of-town or out-of-state, you can mail your documents for filing to the Bernalillo County Courthouse, Attn: Domestic Relations, P.O. Box 488, Albuquerque, NM 87103.
5. The clerk in Domestic Relations will file your original documents, endorse stamp your copies and return two (2) sets to you (**three (3) sets will be returned to you if the State**

of New Mexico (HSD) is also a Petitioner/Intervenor). One set of copies is for your records and the other set is for the opposing party(ies) or his/her attorney. Send endorsed copies of the Motion for Telephonic Appearance and Request for Hearing in an envelope you addressed to the opposing party(ies) (or his/her attorney). It is your responsibility to inform the opposing party you have requested to appear at the hearing telephonically.

6. An endorsed copy of the Motion for Telephonic Appearance and Request for Hearing, original Notice of Hearing and its copies, self-addressed stamped envelopes for each party and yourself, and the Order Allowing Telephonic Appearance and its copies will be sent to the office of the Judge or Hearing Officer. If you prefer or are able to deliver the pleadings yourself, you may go to the **Family Court Reception Area located on the 2nd floor, in-between the elevators, and drop them off with the clerk between the hours of 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.** The Judge or Hearing Officer will then determine whether a hearing will be set, or if the Order Allowing Telephonic Appearance will be signed, without a hearing.
7. If the Judge or Hearing Officer signs your Order Allowing Telephonic Appearance it will indicate how to proceed on the day of your hearing. It is important to keep in contact with the judge's Trial Court Administrative Assistant or the assigned Hearing Officer's staff to determine if your Order has been signed. If the Judge or Hearing Officer does not sign the Order, a separate hearing on this motion will be scheduled and a Notice of Hearing will be sent to all parties in the envelopes provided by you. This notice will inform you of the hearing date and time.

NOTE: *For time-sensitive requests for telephonic appearance, you may want to inform the clerk that you want to hand-carry the documents to the Family Court Reception Area and explain that it is important that the documents be immediately submitted to the Judge or Hearing Officer assigned to your case. Whether you file your documents in person or by mail, you should always communicate with the Judge's Trial Court Administrative Assistant or the assigned Hearing Officer's staff to determine whether your request for telephonic appearance will be granted without a hearing, or if your motion will require an additional hearing.*