

District Court Odyssey Family Hearing Type Codes Abuse and Neglect

Code	Description	Comments/Usage Instructions	Statute/Rule
4584	Adjudicatory/ Dispositional Hearing	Used when the Adjudicatory Hearing and the Dispositional Hearing are held simultaneously. (For use in Abuse & Neglect and Juvenile Justice Criminal cases only.)	32A-4-22 NMSA 1978
4500	Adjudicatory Hearing	Set within 60 days of service of the respondent or any of other reasons laid out in Rule 10-343. Use when setting the trial on the allegations involved in removing the child from the home that were set out in the Petition. (For use in Abuse & Neglect and Juvenile Justice Criminal cases only.)	32A-4-19 NMSA 1978 10-343 NMRA
4528	Bench Trial	A bench trial is defined as a trial without a jury, in which the judge serves as the fact-finder. The trial must result in a judgment, meaning any decree and/or any order from which an appeal lies. Interim hearings, even if dispositive, are not bench trials. A motion to suppress hearing, even if evidence is taken and even if it resolves the case because the evidence is suppressed and the case is dismissed is not a bench trial. Summary Judgment hearings are not bench trials. A bench trial that is calendared and then dismissed by the parties or the court is not a bench trial.	
4580	Compliance Hearing	Use when scheduling a hearing to determine if a party has complied with an order of the court.	
4509	Custody Hearing	Set within 10 days from the date the petition is filed. This hearing will determine if the child should stay in the temporary custody of CYFD until the trial (Adjudicatory Hearing) is held.	32A-4-18 NMSA 1978 10-315 NMRA

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4599	Discharge Hearing	Set prior to the child's 18 th birthday. The discharge hearing is the last judicial review or permanency hearing prior to the child's 18 th birthday. The court may decide to terminate jurisdiction or continue jurisdiction for up to a year, with the child's approval, from the child's 18th birthday.	32A-4-25.3 NMSA 1978 10-360 NMRA
4511	Dispositional Hearing	If the court finds that the respondent has abused or neglected the child, the court shall hold a dispositional hearing within 30 days after the conclusion of the adjudicatory hearing. (For use in Abuse & Neglect and Juvenile Justice Criminal cases only.)	32A-4-22 NMSA 1978 10-344 NMRA
4592	Initial Judicial Review Hearing	Set within 60 days of the date the judgment of disposition was filed.	32A-4-25 NMSA 1978 10-346 NMRA
4575	Initial Permanency Hearing	Set within six months of the Initial Judicial Review or within 12 months of a child entering foster care, whichever comes first.	32A-4-25.1 NMSA 1978 10-345 NMRA
4527	Motion Hearing	Use when a party makes an oral or written request (motion) before, during or after a trial. The purpose of the hearing is to ask the judge to issue a ruling or order on the motion.	
4533	Order to Appear Hearing	Use when the Court wants a party or subpoenaed witness to appear to explain some action such as a witness' failure to appear.	

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4534	Order to Show Cause Hearing	Use when the Court is informed of a party's, or third-party's, failure to follow a court order.	
4535	Periodic Judicial Review Hearing	Use when the child remains in custody after the Permanency Hearing. A Periodic Judicial Review Hearing is set every six months for the judge to review the appropriateness of the child's permanency plan and to make sure that reasonable efforts are being made to implement the plan.	32A-4-25(B) NMSA 1978 10-346 NMRA
4541	Presentment Hearing	Use when the responsible party has failed to submit a proposed order to the court or when the parties cannot agree on the language in a proposed order.	
4548	Relinquishment Consent Hearing	Use for a hearing where the court is to decide whether there is implied consent to adoption or relinquishment of parental rights pursuant to 32A-5-18 NMSA 1978.	32A-5-18 NMSA 1978
4585	Status Hearing/ Conference	Use for a hearing or conference to inquire about the status of a case or a matter in the case.	
4576	Subsequent Permanency Hearing	Set at least every 12 months when a child is in legal custody of the department (CYFD).	32A-4-25.1(F) NMSA 1978

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Code	Description	Comments/Usage Instructions	Statute/Rule
4561	Termination of Parental Rights Hearing	Use when a motion is filed for Termination of Parental rights of one or more respondent(s).	32A-4-28 NMSA 1978