

State of New Mexico

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New Mexico Supreme Court Suspends In-Person CYFD Family Visits for 30 Days in Response To COVID-19 Outbreak

FOR IMMEDIATE RELEASE

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- [Read the entire New Mexico Supreme Court's order here](#)

SANTA FE -- The Children, Youth & Families Department announced Friday that it will begin facilitating court-ordered family visits for children who are in foster care through video and telephone conferencing. This is to comply with a directive from the New Mexico Supreme Court that suspends in-person visits for 30 days because of public health risks from COVID-19.

“Suspending in-person visitations is an incredibly difficult decision for the Department, as we know it will cause heartbreak for many children and families working towards reunification,” said CYFD Secretary Brian Blalock. “Everyone in the state must do everything we can to prevent the spread of COVID-19. This is one of the most painful decisions in service of slowing the spread. Though there may be increased physical separations, we will work to build increased family connections in these uncertain times.”

The suspension will remain in effect until April 26, unless extended or otherwise modified by the Supreme Court.

“The Court’s order balances the legal rights of parents and their interests in maintaining a relationship with their children in state custody and the need to protect the health and safety of the children during the COVID-19 public health emergency,” said Chief Justice Judith K. Nakamura.

The new precautionary measures represent a collaborative effort by the executive and judicial branches of government based on feedback from representatives of children and parents as well as judges who preside over abuse and neglect cases.

The Court directed CYFD to provide for family visits through videoconferencing as a first preference and teleconferencing as a second preference. In-person visits may be allowed by a district court, upon recommendation of CYFD, and if it is shown that necessary precautions are taken to protect the health of the children. The department also must make biweekly reports to district court judges about CYFD’s efforts to provide for family visits and safeguard children. The suspension only applies to children in CYFD custody, and has no impact on private child

custody matters.

CYFD will work with families to facilitate access to technology to support video visits. Telephonic visits will be used when video visits are not possible. “The Department is committed to reinstating in-person visits as soon as it is deemed safe to do so,” said Secretary Blalock. “Family reunification, whenever it is safe to do so, is the foundation of New Mexico’s child welfare system. Visits and connection are key to family reunification.”

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