

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT COURT

IN THE MATTER OF _____ :
A PERSON ALLEGED TO BE IN NEED
OF ASSISTED OUTPATIENT TREATMENT

D-____-SI-20__-_____

MOTION SEEKING A QUALIFIED PROTECTIVE ORDER

COMES NOW the Petitioner, _____, and respectfully moves this Honorable Court for a Qualified Protective Order under NMSA 1978, Section 43-1B-5. In support thereof, Counsel for Petitioner asserts the following:

1. The Petitioner has filed a petition under Section 43-1B-3 for the Respondent to participate in Assisted Outpatient Treatment.

2. Counsel for Petition moves this Court to determine which parties to the proceeding and their attorneys are authorized to receive, subpoena and transmit protected health information pertaining to the Respondent for the purposes of the proceeding.

3. Counsel for Petitioner moves that within forty-five (45) days after the later of the exhaustion of all appeals or the date on which the Respondent is no longer receiving Assisted Outpatient Treatment, the parties, their attorneys, and any person or entity in possession of the Respondent's protected health information received from a party or the party's attorney in the court of the proceeding, shall destroy all copies of protected health information pertaining to the respondent, except that counsel are not required to secure the return or destruction of protected health information submitted to the court.

WHEREFORE, Counsel for Petitioner moves the Court for a Qualified Order of Protection under Section 43-1B-5.

Respectfully submitted,

Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that I served the foregoing Stipulated Motion for Protective Order on the above-named Respondent through the Respondent's Counsel, _____ this ___ **day of** ____, **20**__.

Counsel for Petitioner