



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2026-003

ENDING THE PRACTICE OF CHILDREN STAYING OVERNIGHT IN CHILDREN, YOUTH AND FAMILIES DEPARTMENT OFFICES

WHEREAS, the Children, Youth and Families Department (“CYFD”) has historically faced challenges in securing safe and appropriate placements for children and youth entering state custody, resulting in some children staying overnight in CYFD offices;

WHEREAS, such arrangements are not appropriate or conducive to a child’s well-being;

WHEREAS, these office stays have occurred despite CYFD’s efforts to engage foster families, kinship caregivers, shelters, and community organizations;

WHEREAS, the reasons for these overnight stays have included emergency removals of sibling groups, behavioral health challenges, discharges from treatment facilities without available placements, and older youth refusing placement options;

WHEREAS, CYFD leadership has implemented a comprehensive approach to end all office stays by March of 2026, including convening cross-agency teams, engaging providers, and establishing transitional home-like programs; and

WHEREAS, as of January 16, 2026, CYFD has ceased allowing new office stays and has begun relocating youth to appropriate placements, with full elimination of office stays anticipated by March of 2026.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by the authority vested in me by the Constitution and laws of the State of New Mexico do hereby **ORDER** and **DIRECT** as follows:

1. Effective March 1, 2026, no child in CYFD custody shall stay overnight in any CYFD office for any reason.

2. CYFD shall ensure that all children and youth in its care are placed in safe, appropriate, and licensed settings designed for care and supervision, including foster homes, kinship care, shelters, or transitional facilities.

3. CYFD shall maintain and expand collaborative efforts with providers, sister agencies, and community organizations to secure adequate placements and prevent future office stays.

I FURTHER ORDER and **DIRECT** as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.

2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

3. Nothing in this Order shall be construed to create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of New Mexico, its agencies, departments, entities, officers, employees, or any other person.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 19TH DAY OF JANUARY 2026

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR

