

SUPREME COURT STATE OF NEW YORK
COUNTY OF SUFFOLK

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In the Matter of the Appointment of

_____,
Personal Needs and Property Management Guardian

EX PARTE APPLICATION
FOR THE APPROVAL OF
SECONDARY
APPOINTMENT
(Pursuant to 22 NYCRR §36.1(a)(10))

Index # _____

An Incapacitated Person.

-----x

APPROVAL of the following SECONDARY APPOINTEE is respectfully requested (attach one page resume):

Name:

Address:

Phone number:

Email:

The secondary appointee will serve as COUNSEL ACCOUNTANT APPRAISER
 AUCTIONEER REAL ESTATE BROKER PROPERTY MANAGER

The secondary appointee is on the list established by the Chief Administrator for the Courts for the category of appointment requested.

is NOT on the list established by the Chief Administrator for the Courts for the category of appointment requested, but is otherwise qualified for appointment pursuant to Part 36 of the Rules of the Chief Judge.

The reasons for the request are as follows (If a NON-LIST appointment is requested, include explanation of good cause for the appointment; if the Guardian or Receiver requests that he/she, or a person associated with his/her law firm, be appointed counsel, include an explanation of the compelling reason for the appointment):

That I am requesting that _____ be appointed to engage in _____

DATED: _____, 20__

(Guardian)

Sworn to before me this ___ day
of _____, 20__

Notary Public

(Mark "X" in appropriate boxes and provide all requested information.)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

Title of Action

-----X

Name of Judge: _____

Upon ex parte application of _____, as

Name

__ GUARDIAN __ RECEIVER, dated _____, for approval of a Secondary Appointment, it is determined that

1. A Secondary Appointment is necessary and

Name: _____

Fiduciary ID: _____

Address: _____

Phone/FAX/Email: _____

is appropriate for appointment as: __ COUNSEL __ ACCOUNTANT __ APPRAISER

__ AUCTIONEER __ REAL ESTATE BROKER __ PROPERTY MANAGER;

2. (Choose (a) or (b) by marking "X" in appropriate box.)

a. __ The appointee is on the list established by the Chief Administrator of the Courts for the category of appointment requested;

OR

b. __ The appointee is NOT on the list established by the Chief Administrator of the Courts for the category of appointment requested, but is otherwise qualified for appointment pursuant to Part 36 of the Rules of the Chief Judge, and the Court is filing with the fiduciary clerk form UCS 872.5 (STATEMENT OF REASONS FOR NON-LIST APPOINTMENT) (§36.1(b)(1));

3. (If this is an appointment of Guardian or Receiver, or person associated with his/her law firm, as COUNSEL, mark "X" in Following box and provide compelling reason)

__ The compelling reason for appointment of the Guardian or Receiver, or a person associated with his/her firm, as counsel is as follows: _____

Title of Action: _____

Index No. _____

ACCORDINGLY, it is

ORDERED that this application for approval of a secondary appointment as

__COUNSEL

__ACCOUNTANT

__APPRAISER

__AUCTIONEER

__REAL ESTATE BROKER

__PROPERTY MANAGER

is GRANTED; and it is further

ORDERED that _____ the secondary appointee shall immediately
Name of Secondary Appointee
file form UCS 872; and it is further

ORDERED that compensation for the secondary appointee is subject to PRIOR court approval upon submission of an application showing experience/expertise, services rendered, time expended, prevailing rate in the community, rate charged, challenges presented and results achieved; and it further

ORDERED that the applicant shall serve a copy of this order upon the secondary appointee and all persons entitled to notice in this action/proceeding by mail.

DATED: _____

Signature: _____

File a signed copy of this order with the Fiduciary Clerk

(Mark "X" in appropriate boxes and provide all requested information.)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF

-----X

Title of Action

-----X

Name of Judge: _____

Upon ex parte application of the ___ GUARDIAN ___ RECEIVER, dated _____,
for approval of _____ to a secondary appointment as
Name of Proposed Appointee

___ COUNSEL ___ ACCOUNTANT ___ APPRAISER ___ AUCTIONEER
___ REAL ESTATE BROKER ___ PROPERTY MANAGER

ORDERED that the application is denied, without prejudice to further application, on motion, supported by more sufficient proof of

__ the necessity of the appointment AND/OR

__ the appropriateness of the proposed appointee.

DATED: _____

Signature: _____

ORDER
DENYING
EX PARTE APPLICATION
for
SECONDARY APPOINTMENT
(Pursuant to 22 NYCRR § 36.1(a)(10))

INDEX NO.