SUPREME COURT STATE OF NEW YORK

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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In the Matter of the Appointment of

EX PARTE APPLICATION

FOR THE APPROVAL OF

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, SECONDARY

Personal Needs and Property Management Guardian APPOINTMENT

(Pursuant to 22 NYCRR §36.1(a)(10))

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Index # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

An Incapacitated Person.

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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*

DECISION AND ORDER APPROVING

EX PARTE APPLICATION

for

SECONDARY APPOINTMENT

(Pursuant to 22 NYCRR § 36.1(a) (10))

------------------------------------------------------------X

*Name of Judge:*

INDEX NO.

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 36of 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.l(b)(l));

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 certified 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*

ORDER DENYING

EX PARTE APPLICATION

for

SECONDARY APPOINTMENT (Pursuant to 22 NYCRR § 36.1(a)(10))

-----------------------------------X

INDEX NO.

*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:*