	At IAS Part of the Supreme Court of the State of New York, held in and for the
	County of, at the Courthouse
	thereof at, at the contribute,
	New York, on the day of,
	20
Present: HON	
Justice	
	X
In the Matter of the Application of	Index No.
, as Administrator of	
Nursing Home	
	ORDER TO SHOW CAUSE1
For the Appointment of a Special	FOR A SPECIAL GUARDIAN
Guardian of	
An Alleged Incapacitated Person	
All Alleged incapacitated Ferson	
	X
	71
IMPO	ORTANT2
An application has been filed in cour	t by, Administrator of
Nursing Home, who believes ye	ou may be unable to take care of your personal
needs and financial affairs is a	asking that a proper person be appointed to
make decisions for you. With this paper is a	copy of the application to the Court showing
why believes you may be unab	le to take care of your personal needs and
financial affairs. Before this Court makes th	e appointment of someone to make decisions
for you, the Court holds a hearing at which	yo <mark>u a</mark> re e <mark>ntitled to</mark> be present and to tell the
Judge if you do not want anyone appointed.	This paper tells you when the court hearing
will take place. If you do not appear in cour	t, your rights may be seriously affected.

¹ Pursuant to N.Y.C.R.R. tit. 22, § 130-1.1a(a) an attorney signature is required. An attorney can comply by signing one of the following as long as it accompanies the papers: a cover page, a litigation back or a separate certification. Many counties have their own local forms. You should consult with the clerks of the court in which you are commencing this proceeding before using this form.

² The following bolded paragraphs must be in 12-point or larger, double-spaced, bold type.

You have the right to demand a trial by jury. You must tell the Court if you wish to have a trial by jury. If you do not tell the Court, the hearing will be conducted without a jury. The name, address and telephone number of the clerk of the court are:

The Court has appointed a Court Evaluator to explain this proceeding to you and to investigate the claims made in the application. The Court may give the Court Evaluator permission to inspect your medical, psychological, or psychiatric records. You have the right to tell the Judge if you do not want the Court Evaluator to be given that permission. The Court Evaluator's name, address and telephone number are:

You are entitled to have lawyer of your choice represent you. If you want the Court to appoint a lawyer to help you and represent you, the Court will appoint a lawyer for you. You will be required to pay that lawyer unless you do not have the money to do so.

At the hearing to be held herein as hereinabove set forth, and in this proceeding, you have the following rights:

- a. You have the right to present evidence.
- b. You have the right to call witnesses, including expert witnesses.
- You have the right to cross-examine witnesses, including any witnesses called by the
 Court.

d.	You have the right to be represented by a lawyer of your own choice. If you want
	the Court to appoint a lawyer to help you and represent you, the Court will appoint
	a lawyer for you. You will be required to pay that lawyer unless you do not have the
	money to do so.
day o	UPON reading and filing the annexed Petition of, duly verified on the f, 20, and the statement of, dated, from which it are that is unable to manage her property and financial affairs,
and th	LET, the alleged incapacitated person, the Department of Social Services ne Court Evaluator appointed herein
o'cloo	SHOW CAUSE, before a Justice of this Court at IAS Part,, New York, Room, on the day of, 20, at ck or as soon thereafter as counsel may be heard,
perso	WHY an Order should not be made determining that is an incapacitated n and is likely to suffer harm because she is unable to provide for the management of her rty;
	WHY an Order should not be made appointing some proper person Special Guardian of roperty of, upon qualifying in accordance with the statutes of the state of New and granting to him the following powers:
a.	to collect the proceeds of a certain bank account held at Bank in the name of;
b.	to establish a personal fund for at Nursing Home in a sum to be determined by the Court;
c.	to dispose of the lawful obligations of the alleged incapacitated person;
d.	to communicate withadvising it thatNursing Home is the successor agent for the said burial fund;
e.	to prepare and file a Report to the Court with respect to the foregoing, including therein such other information as the Court may direct, pursuant to section 81.16 of Mental Hygiene Law; and
f.	to exercise such other powers necessary and sufficient to effectuate's continuing eligibility for Medicaid benefits; and
seems	WHY Petitioner should not have such other and further or different relief as to this Court s just and proper;

ORDERED, pursuant to Mental Hygiene Law section 81.09, that, whose office address is
and whose office telephone number is, upon filing his consent and affidavit of responsibility, be and hereby is appointed Court Evaluator for you,, the person alleged to be incapacitated, to appear for you and protect your interests in this proceeding, upon his duly qualifying and consenting according to law, complying with Part 36 of the Rules of the Chief Judge and filing the certificate and the notice of appointment required by section 36.4 thereof; and
LET personal delivery of a copy of this Order to Show Cause and of the papers on which it is granted upon, the Alleged Incapacitated Person, on or before the day of, 20, be deemed good and sufficient service; and
LET service of a copy of the Notice of Proceeding and this Order to Show Cause, by mail, upon, at the addresses listed in the Petition on or before the day of, be deemed good and sufficient service; and
LET service of a copy of the Notice of Proceeding, this Order to Show Cause and the papers on which it is granted by facsimile if a facsimile telephone number is designated by the attorney for that purpose or by personal delivery or by overnight delivery service upon, court evaluator appointed herein, and, court appointed counsel to, on or before the day of, 20, be deemed good and sufficient service.
ENTER,
J.S.C.