SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

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In the Matter of the Appointment of Guardian of the Person and Property of

_____,

An Alleged Incapacitated Person

Index No. _____

COMMISSION TO GUARDIAN[1]

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THE PEOPLE OF THE STATE OF NEW YORK, TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, by an Order duly made on [date], which was thereafter on the ___ day of _____, ____, in a proceeding in the Supreme Court entitled "In the Matter of the Application of the Appointment of Guardian for _____," it was found that _____, residing at [Address], telephone number _____, is determined to be incapacitated to take care of herself or her property, and that a Guardian be appointed pursuant to Article 81 of the Mental Hygiene Law,

AND WHEREAS, by said Order, _____ of [Address], telephone number _____, was appointed Guardian of the Person and Property of the said _____, and is directed to file in the Clerk's office of the said county a bond for the security required by law in the sum of $_____; that said Guardian will faithfully discharge the powers given by the Court, and obey all lawful directions of the Court in regard to the powers, and render a just and true account of all properties received and disbursed whenever required to do so by a Court of competent jurisdiction.

AND, WHEREAS, the Designation of the Clerk and Oath have been duly executed and filed in the Clerk's Office;

AND, WHEREAS, the bond required by said Order has been executed and filed in the said Clerk's Office;

NOW, THEREFORE, know ye, that we have granted, given and committed, and by these presents do give, grant and commit unto the said Guardian the possession, care and management of the person and property (real as well as personal), of the said incapacitated person, with the following powers:

[LIST ALL POWERS FROM COURT ORDER]

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[1] Pursuant to 22 N.Y.C.R.R. § 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.

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All persons are hereby directed and commanded to deliver to the Guardian, upon demand and presentation of a Certified Copy of the Commission, all property of _____, of every kind and nature which may be in their possession or under their control.

And the said Guardian is hereby required to file in the office of the Clerk of said county of _____ during the month of May, in each and every year, an Annual Report in accordance with Mental Hygiene Law section 81.31; and the Guardian is required to file an initial report in accordance with Mental Hygiene Law section 81.30.

And the said Guardian is required to file with the recording officer of the county wherein the incapacitated person is possessed of real property, an acknowledged statement, to be recorded and indexed under the incapacitated person's name, that identifies the real property possessed, and the tax map numbers, and the block and lot number, the location of such property, the date of the adjudication of incapacity, the date of the appointment of the Guardian and the name and addresses of the Guardian and surety.

The Guardian's appointment shall be for a _____ period, subject to extension upon application to the Court prior to the expiration of such period [or for indefinite duration].

WITNESS, the Honorable _____, one of the Justices of the Supreme Court of the state of New York, at the County Courthouse in the county of _____, this ____ day of _____, ____.

By the Court

_____
[Name of Court Clerk]
Clerk of the County of _____

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