

At IAS Part ____ of the Supreme Court of the State of New York, held in and for the County of _____, at the Courthouse thereof, _____, _____, New York, on the ____ day of _____, 20__.

P R E S E N T:

HON. _____
Justice

-----X
In the Matter of the Petition of

_____,
Guardian of the Person and Property of
_____,
An Incapacitated Person,

Index No.

ORDER TO SHOW CAUSE¹

For a Judgment Authorizing the Sale of Certain Real Property Belonging to the Said Incapacitated Person.

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On reading and filing the Petition of _____, Guardian of the person and property of _____, an incapacitated person, duly verified on the ____ day of _____, 20__, the appraisal of _____, duly sworn to on the ____ day of _____, 20__; and on the contract of sale executed by and between the Petitioner and _____, dated the ____ day of _____, 20__, all of which are annexed to the aforesaid Petition,

LET _____, the incapacitated person herein, _____, by his attorneys, _____, and the Surety herein, to wit, _____, show cause at an IAS, Part ____, Room ____ of this Court on the ____ day of _____, 20__, at ____ [A.M./P.M.] in the [forenoon/afternoon] of that day, or as soon thereafter as Counsel can be heard,

WHY an Order should not be made authorizing the sale of certain real property belonging to the said incapacitated person to _____ pursuant to the contract of sale executed by the parties thereto on the ____ day of _____, 20__; and

WHY an Order should not be made authorizing the attorney for the Guardian to make application to this Court at the conclusion of the within proceedings for a fee to be paid to the said attorney from the proceeds of the Incapacitated person's estate for her legal services rendered herein; and

WHY the Petitioner should not have such other and further or different relief as to this Court seems proper.

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.

SUFFICIENT REASON APPEARING THEREFOR,

LET service of a copy of this Order and of the papers upon which it is granted upon _____, _____ by his attorneys, _____, and the Surety herein, to wit, _____, by certified mail, on or before the ___ day of _____, 20___, be deemed good and sufficient service.

ENTER,

J.S.C.

Sample

Sample