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

P R E S E N T:
Hon. _____
Justice

----------X

In the Matter of the Final Account of _____ and _____ as Co-Guardians for

Index No.

ORDER TO SHOW CAUSE[1]

----------X

On reading and filing the annexed Final Report and Account of _____ and _____, verified on _____, 20__, and _____, 20__, and the Petition verified on the ____ day of _____, 20__, and on the ___ day of _____, 20__, from which it appears that _____ is deceased, having died on _____, 20__, and that _____ and _____, the Co-Guardians, are seeking to settle the Final Account of their proceedings as Co-Guardians so as to be discharged herein, and upon the affidavit of legal services of _____, sworn to the ____ day of _____, 20___, attached hereto,

LET _____ Company, the surety; _____, the son of the deceased and the legal representative of the Estate of _____, deceased, appointed by the Probate Court; and anyone else entitled to notice herein, show cause before the Justice presiding at IAS Part ___, Room ___, of this Court to be held in the County of _____, at the Courthouse thereof, _____, _____, New York, on the ___ day of _____, 20__, at _____ a.m./p.m., or as soon thereafter as counsel can be heard,

WHY an Order should not be entered herein (1) settling the Final Account of _____ and _____, as Co-Guardians (as annexed hereto); (2) upon settlement of the account of _____ and _____ as Co-Guardians, approving payment of commissions due pursuant to statute to each of the Co-Guardians; (3) approving reimbursement of the Co-Guardians' reasonable and necessary disbursements; (4) approving a reasonable amount of legal fees for the legal services rendered by _____ and for his additional and extraordinary services rendered; (5) determining the rights and interests, if any, of _____, as relating to the joint stocks and joint dividends; (6) determining that any jointly held stock (at the time of _____'s death) in the names of _____ and _____ revert to _____ by operation of law; (7) approving and authorizing the Co-Guardians to hold sufficient funds on hand to pay the

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.

Sample
Sample

accountant to file the final tax return of _____ and also to cover and pay any tax liability on the final tax return; (8) determining the rights and interests of any of the interested parties herein; (9) authorizing transmittal of the funds and assets on hand (after payment of all approved payments) to _____, the legal representative of the Estate of _____, deceased, appointed by the _____ Court; (10) discharging _____ and _____, the Co-Guardians and the _____ from any and all further liability and accountability for all matters contained within the Final Account; (11) that the bond be cancelled; (12) together with such other and further relief as may be deemed proper and just;

Sufficient reason herein therefor,

LET service of a copy of this Order and the Petition and the Final Report and Account and all other papers attached hereto, by Certified Mail, Return Receipt Requested, to _____; N.Y.C. Human Resources Administration, 330 West 34th Street, New York, N.Y., 10001; and N.Y.C. Human Resources Administration, 220 Church Street, Medicaid Division, 3rd Floor, New York, N.Y., 10013; all on or before the ____ day of _____, 20__, be deemed good and sufficient service hereof.

E N T E R,

_____

Hon.

J.S.C.

Sample

Sample