

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 _____, _____, New York, on the ___ day of _____, 20____.

Present: HON. _____
Justice

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In the Matter of the Application of

Index No.

_____, Esq.,

for the Appointment of a Guardian of the Person and Property of

_____,
A Person Alleged To Be Incapacitated.

ORDER TO SHOW CAUSE¹
(With Request for Temporary Restraining Order and Injunction)

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IMPORTANT:

An application has been filed in court by _____, Esq., who believes you may be unable to take care of your personal needs and financial affairs. _____, Esq., is asking that _____ be appointed to make decisions for you. With this paper is a copy of the application to the Court showing why _____, Esq., believes you may be unable to take care of your personal needs and financial affairs. Before this Court makes the appointment of someone to make decisions for you, the Court holds a hearing at which you are entitled to 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 court, your rights may be seriously affected.

You have the right to demand a trial by jury. You must tell the Court if you wish to

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.

have a trial by jury. If you do not tell the Court, the hearing will be conducted without a jury.

SAMPLE