

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

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In the Matter of the Application of _____
for the Appointment of a Guardian of
the Person and/or Property of

Index No. _____

SAMPLE REPORT OF
COURT EVALUATOR¹

A Person Alleged To Be Incapacitated.

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TO THE SUPREME COURT OF THE STATE OF NEW YORK:

I, _____, an attorney at law licensed to practice in the state of New York, having been appointed as Court Evaluator in this proceeding, respectfully report to the Court as follows:

1. I was duly appointed as Court Evaluator in this proceeding by Order of the Honorable _____ on [date].

2. I duly filed the Statement of Compliance and Statement of Appointment.

3. I was served with and received a complete copy of the Order of the Honorable _____ and the papers upon which said Order was based. I ascertained that I had no adverse interest or conflict with the aforementioned "alleged incapacitated person" ("AIP"), _____, nor was I related to, nor connected in business with any party in this proceeding, or the attorney for any party in the proceeding, nor was I entitled to share in the estate and property in which the AIP has any interest.

4. Therefore, I duly qualified as Court Evaluator to protect the rights and interests of the AIP, by executing, serving, and filing my Consent and Affidavit of Responsibility with the Court.²

[NOTE: There are many different provisions in this Sample Report which may be inconsistent. They are presented here as possible sample provisions.]

5. On [date], I met with _____, the ("AIP") at her home at [Address]. [GIVE FULL DETAILS IN REPORT. Provide details of visit with AIP, whether at home, nursing home, hospital, etc.; what was discussed; the AIP's responses; living arrangements; the

¹ NOTE: This is a *sample* report, which may contain some inconsistent provisions. It is reproduced here only as an example.

² NOTE: May not be needed and *not provided for in statute*.