

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 _____, as Administrator of _____ Nursing Home for the Appointment of a Special Guardian of

Index No.

**ORDER AND JUDGMENT
APPOINTING SPECIAL
GUARDIAN¹**

_____,
An Alleged Incapacitated Person.

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The petition of _____, as Administrator of _____ Nursing Home, duly verified on the ___ day of _____, 20__, having been presented to this Court seeking an Order declaring that _____ is incapacitated as defined in section 81.02, subdivision (b) of the Mental Hygiene Law, and seeking the appointment of a Special Guardian of _____ pursuant to section 81.16(b) of the Mental Hygiene Law, and HONORABLE _____ having granted an Order to Show Cause on the ___ day of _____, 20__, and having required service of said petition and order to show cause personally upon the alleged incapacitated person, _____, and by certified mail on the Department of Social Services of the city of New York; and the said petition and order to show cause having thereafter been duly served and proof of service thereof filed with the Court; and _____ of _____ having duly qualified as Court Evaluator; and _____, having appeared for petitioner, and _____ having been present at the hearing held hereunder;

NOW on reading and filing said petition and Order to Show Cause and the proof and allegations of the parties then and there presented; certain medical records of _____; the statement of _____, M.D., dated _____, 20__; the Report of the Court Evaluator, _____ dated _____, 20__; the Affidavit of Services of the said Court Evaluator, sworn to the ___ day of _____, 20__; the Affidavit of Legal Services of _____, attorney for the Petitioner, sworn to on the ___ day of _____, 20__; and the Court having heard testimony at the hearing held herein on _____, 20__; and upon all the evidence adduced; and after due deliberation; and the Court having rendered its written decision on _____,

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.