

Filing Fee Paid \$ _____

Certs \$ _____

\$ _____ Bond, Fee: _____

Receipt No: _____ No: _____

DO NOT LEAVE ANY ITEMS BLANK

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

ADMINISTRATION PROCEEDING,
Estate of _____

a/k/a _____

Deceased

PETITION FOR LETTERS OF:

- () Administration
 - () Limited Administration
 - () Administration with Limitations
 - () Temporary Administration
- File No. _____

-----X

TO THE SURROGATE'S COURT, COUNTY OF _____

It is respectfully alleged:

1. The name, domicile and interest in this proceeding of the petitioner, who is of full age, is as follows:

Name: _____

Domicile: _____

(Street Address)

(City/Town/Village)

(County)

(State)

(Zip)

(Telephone Number)

Mailing address is: _____

(if different from domicile)

Citizenship (check one): () U.S.A. () Other (specify) _____

Interest of Petitioner (check one):

() Distributee of decedent (state relationship) _____

() Other (specify) _____

Is proposed Administrator an attorney? () Yes () No [If yes, submit statement pursuant to 22 NYCRR 207.16(e); see also 207.52 (Accounting of attorney-fiduciary).]

2. The name, domicile, date and place of death, and national citizenship of the above-named decedent are as follows:
[The Death Certificate must be filed with this proceeding. If the decedent's domicile is different from that shown on the death certificate, check box _____ and attach an affidavit explaining the reason for this inconsistency.]

Name: _____

Domicile: _____

(Street Number)

(City, Village/Town)

(State)

(Zip Code)

Township of: _____ County of: _____

Date of Death: _____ Place of Death: _____

Citizenship: (check one): () U.S.A. () Other (specify)

[Note: For Items 3a through c: Do not include any assets that are jointly held, held in trust for another, or have a named beneficiary.]

3.(a) The estimated gross value of the decedent's personal property passing by intestacy is less than

\$ _____

(b) The estimated gross value of the decedent's real property, in this state, which is () improved, () unimproved, passing by intestacy is less than

\$ _____

A brief description of each parcel is as follows:

(c) The estimated gross rent for a period of eighteen (18) months is the sum of \$ _____

(d) In addition to the value of the personal property stated in paragraph (3) the following right of action existed on behalf of the decedent and survived his/her death, or is granted to the administrator of the decedent by special provision of law, and it is impractical to give a bond sufficient to cover the probable amount to be recovered therein: **[Write "NONE or state briefly the cause of action and the person against whom it exists, including names and carrier].** _____

(e) If decedent is survived by a spouse and a parent, or parents but no issue, and there is a claim for wrongful death, check here _____ and furnish names(s) and address(es) of parent(s) in Paragraph 7. See EPTL 5-4.4.

4. A diligent search and inquiry, including a search of any safe deposit box, has been made for a will of the decedent and none has been found. Petitioner(s) (has) (have) been unable to obtain any information concerning any will of the decedent and therefore allege(s), upon information and belief, that the decedent died without leaving any last will.

5. A search of the records of this Court shows that no application has ever been made for letters of administration upon the estate of the decedent or for the probate of a will of the decedent, and your petitioner is informed and verily believes that no such application ever has been made to the Surrogate's Court of any other county of this state.

6. The decedent left surviving the following who would inherit his/her estate pursuant to EPTL 4-1.1 and 4-1.2:

- a. () Spouse (husband/wife).
- b. () Child or children or descendants of predeceased child or children. **[Must include marital, nonmarital and adopted].**
- c. () Any issue of the decedent adopted by persons related to the decedent (DRL Section 117).
- d. () Mother/Father.
- e. () Sisters or brothers, either of whole or half blood, and issue of predeceased sisters or brothers.
- f. () Grandmother/Grandfather.
- g. () Aunts or uncles, and children of predeceased aunts and uncles (first cousins).
- h. () First cousins once removed (children of first cousins).

[Information is required only as to those classes of surviving relatives who would take the property of decedent pursuant to EPTL 4-1.1. State "number" of survivors in each class. Insert "No" in all prior classes. Insert "X" in all subsequent classes].

7. The decedent left surviving the following distributees, or other necessary parties, whose names, degrees of relationship, domiciles, post office address and citizenship are as follows:

[Note: Show clearly how each person is related to decedent. If relationship is through an ancestor who is deceased, give name, date of death, and relationship of the ancestor to the decedent. Use rider sheet if space in paragraph (7) is not sufficient. See Uniform Rules 207.16(b).

If any person listed in paragraph (7) is a nonmarital person, or descended from a nonmarital person, attach a copy of the order of filiation or Schedule A. If any person listed in paragraph (7) was adopted by any persons related by blood or marriage to decedent or descended from such persons, attach Schedule B].

7a. The following are of full age and under no disability: [If nonmarital or adopted-out person, so indicate by attaching Schedule A and/or B]

Name	Relationship	Domicile and Mailing Address	Citizenship
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7b. The following are infants and/or persons under disability: [Attach applicable Schedule A, B, C, and/or D]

Name	Relationship	Domicile and Mailing Address	Citizenship
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

8. There are no outstanding debts or funeral expenses, except: [Write "NONE" or state same]

9. There are no other persons interested in this proceeding other than those hereinbefore mentioned.

WHEREFORE, your petitioner respectfully prays that: [Check and complete all relief requested]

- () a. process issue to all necessary parties to show cause why letters should not be issued as requested;
- () b. an order be granted dispensing with service of process upon those persons named in Paragraph (7) who have a right to letters prior or equal to that of the person nominated, and who are non-domiciliaries or whose names or whereabouts are unknown and cannot be ascertained;
- () c. a decree award Letters of:
 - () Administration to _____
 - () Limited Administration to _____
 - () Administration with Limitation to _____
 - () Temporary Administration to _____

or to such other person or persons having a prior right as may be entitled thereto, and;

- () d. That the authority of the representative under the forgoing Letters be limited with respect to the prosecution or enforcement of a cause of action on behalf of the estate, as follows: the administrator(s) may not enforce a judgment or receive any funds without further order of the Surrogate.
- () e. That the authority of the representative under the foregoing Letters be limited as follows:
 - _____
 - _____
 - _____
 - _____
 - _____

f. [State any other relief requested.] _____

Dated: _____

1. _____
(Signature of Petitioner)

2. _____
(Signature of Petitioner)

(Print Name)

(Print Name)

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

COMBINED VERIFICATION, OATH AND DESIGNATION
[For use when petitioner is to be appointed administrator]

I, the undersigned the petitioner named in the foregoing petition, being duly sworn, say:

1. VERIFICATION: I have read the foregoing petition subscribed by me and know the contents thereof, and the same is true of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.

2. OATH OF ADMINISTRATOR as indicated above: I am over eighteen (18) years of age and a citizen of the United States; and I will well, faithfully and honestly discharge the duties of Administrator of the goods, chattels and credits of said decedent according to law. I am not ineligible to receive letters and will duly account for all moneys and other property that will come into my hands.

3. DESIGNATION OF CLERK FOR SERVICE OF PROCESS: I do hereby designate the Clerk of the Surrogate's Court of _____ County, and his/her successor in office, as a person on whom service of any process, issuing from such Surrogate's Court may be made in like manner and with like effect as if it were served personally upon me, whenever I cannot be found and served within the State of New York after due diligence used.

My domicile is: _____
 (Street/Number) (City, Village/Town) (State) (Zip)

Signature of Petitioner

On the _____ day of _____, 20____, before me personally came

to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that he/she executed the same.

Notary Public
Commission Expires:
(Affix Notary Stamp or Seal)

Signature of Attorney: _____

Print Name: _____

Firm Name: _____ Tel. No.: _____

Address of Attorney: _____

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

PROCEEDING FOR

Estate of _____

a/k/a _____

SCHEDULE A
NONMARITAL PERSONS
(PERSONS BORN OUT OF WEDLOCK)

File # _____

Deceased.

-----X

[NOTE: Nonmarital children (or their issue) who would be distributees if they (or their ancestors) were born in wedlock will not be regarded as distributees unless satisfactory proof is submitted establishing paternity]. See EPTL 4-1.2 which sets forth methods of establishing paternity.

Name of alleged distributee: _____

Date of birth: _____ Relationship to decedent: _____

Name of father: _____

Name of mother: _____

Does the birth certificate contain the father's name? Yes () No ()

If yes, attach copy of birth certificate.

Has an order of filiation establishing paternity been entered?

Yes () No () If yes, attach copy of order.

Did the nonmarital person live with his or her father? Yes () No ()

If yes, give dates and places of residence: _____

File # _____

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X
PROCEEDING FOR
Estate of _____

a/k/a _____

Deceased.

-----X

SCHEDULE B
ISSUE OF THE DECEDENT
WHO WERE THE SUBJECT
OF AN ADOPTION

Name of child: _____

Relationship to decedent prior to adoption: _____

Date of adoption: _____

Was this a step-parent adoption? (i.e., was the child adopted by the spouse of the decedent's former spouse?)
Yes () No ()

If yes, name of adoptive father or mother: _____

If not a step-parent adoption, indicate below the biological relationship of the adoptive parent to the child:

- () grandparent(s)
- () brother or sister
- () aunt or uncle
- () first cousin
- () nephew or niece

Name of the adoptive parent: _____

File # _____

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X
PROCEEDING FOR
Estate of _____

SCHEDULE C
INFANTS

a/k/a _____

Deceased.

-----X

[NOTE: Please furnish all of the information requested, otherwise the petition may be rejected.]

Name: _____ Date of birth: _____

Relationship to the decedent: _____

With whom does the infant reside? _____

Name of mother: _____ Is she alive? _____

Name of Father: _____ Is he alive? _____

Does infant have a court-appointed guardian? Yes () No ()

If yes, name and address of guardian: _____

Name: _____ Date of birth: _____

Relationship to the decedent: _____

With whom does the infant reside? _____

Name of mother: _____ Is she alive? _____

Name of Father: _____ Is he alive? _____

Does infant have a court-appointed guardian? Yes () No ()

If yes, name and address of guardian: _____

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X
PROCEEDING FOR
Estate of _____

SCHEDULE D
PERSONS UNDER DISABILITY
OTHER THAN INFANTS

a/k/a _____

Deceased.

-----X

[use additional sheets if more than one]

1. Name: _____ Relationship: _____

Residence: _____

With whom does this person reside? _____

If this person is in prison, name of prison: _____

Does this person have a court-appointed fiduciary? Yes () No ()

If yes, give name, title and address: _____

If no, describe nature of disability: _____

If no, give name and address of relative or friend interested in his or her welfare:

2. Whereabouts unknown/Unknowns [persons whose addresses or names are unknown to petitioner; if known, give name and relationship to decedent]

ADMINISTRATION CITATION

File No. _____

SURROGATE'S COURT - _____ COUNTY

CITATION

THE PEOPLE OF THE STATE OF NEW YORK,
By the Grace of God Free and Independent,

TO _____

A petition having been duly filed by _____, who is domiciled at _____

YOU ARE HEREBY CITED TO SHOW CAUSE before the Surrogate's Court, _____
County, at _____, New York, on _____, 20
at _____ o'clock in the _____ noon of that day, why a decree should not be made in the estate of

lately domiciled at _____
in the County of _____, New York, granting Letters of Administration upon the estate of
the decedent to _____ or to such other person as may be entitled thereto.

(State any further relief requested)

Dated, Attested and Sealed,
_____, 20 _____
(Seal)

HON. _____
Surrogate

Chief Clerk

Name of Attorney for Petitioner _____ Tel. No. _____

Address of Attorney _____

Note: This citation is served upon you as required by law. You are not required to appear. If you fail to appear it will be assumed you do not object to the relief requested. You have a right to have an attorney-at-law appear for you.

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X
ADMINISTRATION PROCEEDING

Estate of _____

AFFIDAVIT OF MAILING
NOTICE OF APPLICATION FOR
LETTERS OF ADMINISTRATION
(SCPA 1005)

a/k/a _____
Deceased.

File No. _____

-----X
STATE OF NEW YORK
COUNTY OF _____ ss.:

_____, residing at _____, New York,
being duly sworn, deposes and says that deponent is over the age of eighteen years; that on _____, 20____,
deponent mailed a copy of the foregoing Notice of application for Letters of administration, contained in a securely closed
postpaid wrapper, directed to each of the persons named in paragraph 4(b), respectively, as follows:

whose post office address is _____

whose post office address is _____

whose post office address is _____

whose post office address is _____

whose post office address is _____

whose post office address is _____

whose post office address is _____

whose post office address is _____

by depositing the document in a letter box or other official depository under the exclusive care and custody of the United States
Post Office, located at:

Sworn to before me this _____
day of _____, 20_____

Signature

Notary Public
Commission Expires:
(Affix Stamp or Seal)

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

ADMINISTRATION PROCEEDING

Estate of _____

NOTICE TO CONSUL
GENERAL

a/k/a _____

Deceased.

File No. _____

-----X

TO THE CONSUL GENERAL OF _____
AT THE CITY OF NEW YORK

PLEASE TAKE NOTICE that a petition (will be) (has been) presented to the Surrogate's Court, _____

County of _____, on _____, 20 _____, with respect to the Estate of the
above-named decedent and it appears from the petition that:

a. the deceased was a subject of _____ or

b. the following distributees are nonresidents of the United States:

Names	Addresses	Citizenship
_____	_____	_____
_____	_____	_____

Attorney for Petitioner

Address

Telephone No.

STATE OF NEW YORK
COUNTY OF _____ ss.:

_____ being duly sworn, says:

That he/she resides at _____, New York; that on the

_____, 20 _____, he/she served a copy of the above NOTICE on the Consul General

of _____ at _____, New York City, by mailing same to the
office of the aforesaid Consul.

Signature

Sworn to before me this

day of _____, 20 _____

Notary Public

Commission Expires:
(Affix Stamp and Seal)

At a Surrogate's Court of the
State of New York Held in and
for the County of _____,
at _____ New York
on _____, 20 _____

PRESENT:

HON. _____
Surrogate.

-----X
ADMINISTRATION PROCEEDING

Estate of _____

a/k/a _____

DECREE APPOINTING
ADMINISTRATOR

File No. _____

Deceased.
-----X

A petition having been filed by _____ praying that administration
of the goods, chattels and credits of the above-named decedent be granted to _____;
and all persons named in such petition, required to be cited, having been duly cited to show cause why such relief should not
be granted or having duly waived the issuance of such citation and consented thereto; and it appearing that
_____ is in all respects competent to act as administrat_____ of the estate of said deceased,
and a
 () bond having been filed and approved in the amount of \$ _____
 () bond having been dispensed with

and such representative(s) otherwise having qualified therefore; now, after due deliberation, with no one appearing in opposition
thereto, it is

ORDERED AND DECREED that Letters of Administration issue to _____

ORDERED AND DECREED, that the authority of such representative(s) be restricted in accordance with, and that
letters herein issued contain, the limitation, if any, which appears immediately below.

Surrogate

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X
ADMINISTRATION PROCEEDING

Estate of _____

AFFIDAVIT OF
REGULARITY

a/k/a _____

Deceased.

File No. _____

-----X
STATE OF NEW YORK
COUNTY OF _____ ss.:

_____ being duly sworn, deposes and says:

1. That he/she is the attorney for _____, the
_____ herein.

2. That all the parties to this proceeding have been duly cited or have waived the issuance and service of a citation herein and consented to the entry of a decree or order in the following manner and form:

a. By service of a copy of the citation issued herein upon the following persons in the manner prescribed by SCPA 307(1), as more fully appears by the proof of service thereof, made in the manner and form by law and filed on _____, 20____,

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
_____	_____	_____
_____	_____	_____

b. By service pursuant to an order made herein on _____, 20____, under SCPA 307(2), as more fully appears by the proof of service thereof, made in the manner prescribed by law and filed herein on _____, 20____,

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
_____	_____	_____
_____	_____	_____

(Parties who waive or consent)

c. By duly executed waivers of the issuance and service of the citation herein and a consent to the entry of a decree or order and filed herein on _____, 20____, by:

<u>Name</u>	<u>Address</u>	<u>Date of Waiver</u>
_____	_____	_____
_____	_____	_____

3. That no notice of appearance has been filed herein, except by _____

4. That all of the persons named above are of full age and are of sound mind, excepting those hereinbefore stated to be otherwise, and comprise all the parties, as deponent verily believes, who have any interest in this proceeding.

Signature

Sworn to before me this _____

day of _____, 20____

Notary Public
Commission Expires:
(Affix Stamp and Seal)

N.B. Where a person cited is an infant, incarcerated, a mentally ill person, a mentally retarded person, a developmentally disabled person, an alcohol abuser or for any cause is mentally incapable of adequately protecting his/her rights, it must so appear in the foregoing affidavit. The age of the infant also must be stated.

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

ADMINISTRATION PROCEEDING

Estate of _____

a/k/a _____
Deceased.

-----X

WAIVER OF CITATION,
RENUNCIATION AND CONSENT TO
APPOINTMENT OF ADMINISTRATOR
(INDIVIDUAL)

File No. _____

The undersigned, a distributee or creditor of the above named decedent and being of full age and sound mind hereby voluntarily appears in the Surrogate's Court of _____ County, New York and waives the issuance and service of citation in this matter, renounces all right to Letters of Administration of the above captioned estate and consents that

- () Letters of Administration
- () Letters of Administration with Limitations
- () Limited Letters of Administration

be issued to _____
or any other person or persons entitled thereto without any notice whatsoever to the undersigned, and consents

- () that a bond be dispensed with and hereby specifically release any claim I might have under any bond that may be filed
- () that a bond in the amount of \$ _____ be posted

_____	_____	_____	_____
Date	Signature	Street Address	Relationship
	_____	_____	
	Print Name	Town/State/Zip	

STATE OF NEW YORK
COUNTY OF _____ ss.:

On _____, 20____, before me personally appeared _____

to me known and known to me to be the person described in and who executed the foregoing waiver and consent and each duly acknowledged the execution thereof.

Notary Public
Commission Expires:
(Affix Stamp or Seal)

Name of Attorney

Address

Telephone No.

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

ADMINISTRATION PROCEEDING

Estate of _____

WAIVER OF CITATION AND
CONSENT TO APPOINTMENT
OF ADMINISTRATOR
(CORPORATION)

a/k/a _____

Deceased.

File No. _____

-----X

The undersigned corporation, a creditor of the above-named decedent, hereby voluntarily appears in the Surrogate's Court of _____ County, New York, and waives the issuance and service of a citation in this matter and consents that Letters of Administration be issued to _____

_____ or any other person or persons entitled thereto without any notice whatsoever to the undersigned, without furnishing a bond or other security for the faithful performance of the duties of that office and specifically releasing any claim it might have under any bond that may be furnished.

Dated: _____, 20 _____

(Name of Corporation)

By: _____

(Signature of Officer)

(Type Name and Title)

STATE OF NEW YORK
COUNTY OF _____ ss.:

On _____, 20_____, before me personally came

_____ to me known, who being duly sworn did say that: he resides at _____

_____ ; he is a _____

_____ of _____

_____, the corporation described in and which executed the foregoing waiver and consent; and that he signed the same thereto by order of the board of directors of the corporation.

Name of Attorney

Address

Telephone Number

Notary Public
Commission Expires
(Affix Stamp or Seal)