

SUPREME COURT STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

-----x

In the Matter of the Appointment of

\_\_\_\_\_,  
Personal Needs and Property Management Guardian

\_\_\_\_\_

An Incapacitated Person.

-----x

EX PARTE APPLICATION  
FOR THE APPROVAL OF  
SECONDARY  
APPOINTMENT  
(Pursuant to 22 NYCRR §36.1(a)(10))

Index # \_\_\_\_\_

APPROVAL of the following SECONDARY APPOINTEE is respectfully requested (attach one page resume):

Name:

Address:

Phone number:

Email:

- The secondary appointee will serve as  COUNSEL  ACCOUNTANT  
 APPRAISER  AUCTIONEER  REAL ESTATE BROKER  
 PROPERTY MANAGER

- The secondary appointee  is on the list established by the Chief Administrator for the Courts for the category of appointment requested.  
 is NOT on the list established by the Chief Administrator for the Courts for the category of appointment requested, but is otherwise qualified for appointment pursuant to Part 36 of the Rules of the Chief Judge.

The reasons for the request are as follows (If a NON-LIST appointment is requested, include explanation of good cause for the appointment; if the Guardian or Receiver requests that he/she, or a person associated with his/her law firm, be appointed counsel, include an explanation of the compelling reason for the appointment):

That I am requesting that \_\_\_\_\_ be appointed to engage in

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED: \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
(Guardian)

Sworn to before me this \_\_\_ day  
of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

(Mark "X" in appropriate boxes and provide all requested information.)

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

-----X

*Title of Action*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----X

*Name of Judge:* \_\_\_\_\_

Upon ex parte application of \_\_\_\_\_, as  
*Name*

\_\_ GUARDIAN \_\_ RECEIVER, dated \_\_\_\_\_, for approval of a Secondary Appointment,  
it is determined that

1. A Secondary Appointment is necessary and

*Name:* \_\_\_\_\_

*Fiduciary ID:* \_\_\_\_\_

*Address:* \_\_\_\_\_

\_\_\_\_\_  
*Phone/FAX/Email:* \_\_\_\_\_

is appropriate for appointment as: \_\_ COUNSEL \_\_ ACCOUNTANT \_\_ APPRAISER  
\_\_ AUCTIONEER \_\_ REAL ESTATE BROKER \_\_ PROPERTY MANAGER;

2. (Choose (a) or (b) by marking "X" in appropriate box.)

a. \_\_ The appointee is on the list established by the Chief Administrator of the Courts for the category of appointment requested;

OR

b. \_\_ The appointee is NOT on the list established by the Chief Administrator of the Courts for the category of appointment requested, but is otherwise qualified for appointment pursuant to Part 36 of the Rules of the Chief Judge, and the Court is filing with the fiduciary clerk form UCS 872.5 (STATEMENT OF REASONS FOR NON-LIST APPOINTMENT) (§36.1(b)(1));

3. (If this is an appointment of Guardian or Receiver, or person associated with his/her law firm, as COUNSEL, mark "X" in following box and provide compelling reason)

\_\_ The compelling reason for appointment of the Guardian or Receiver, or a person associated with his/her firm, as counsel is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Title of Action: \_\_\_\_\_

Index No. \_\_\_\_\_

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ACCORDINGLY, it is

**ORDERED** that this application for approval of a secondary appointment as

COUNSEL     ACCOUNTANT     APPRAISER     AUCTIONEER  
 REAL ESTATE BROKER     PROPERTY MANAGER    is GRANTED; and it is further

**ORDERED** that \_\_\_\_\_ the secondary appointee shall immediately  
*Name of Secondary Appointee*  
file form UCS 872; and it is further

**ORDERED** that compensation for the secondary appointee is subject to PRIOR court approval upon submission of an application showing experience/expertise, services rendered, time expended, prevailing rate in the community, rate charged, challenges presented and results achieved; and it further

**ORDERED** that the applicant shall serve a copy of this order upon the secondary appointee and all persons entitled to notice in this action/proceeding by certified mail. \_\_\_\_\_

DATED: \_\_\_\_\_

*Signature:* \_\_\_\_\_

*File a signed copy of this order with the Fiduciary Clerk*

(Mark "X" in appropriate boxes and provide all requested information.)

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF

-----X

*Title of Action*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----X

Name of Judge: \_\_\_\_\_

Upon ex parte application of the \_\_\_ GUARDIAN \_\_\_ RECEIVER, dated \_\_\_\_\_,  
for approval of \_\_\_\_\_ to a secondary appointment as  
*Name of Proposed Appointee*

\_\_\_ COUNSEL    \_\_\_ ACCOUNTANT    \_\_\_ APPRAISER    \_\_\_ AUCTIONEER  
\_\_\_ REAL ESTATE BROKER    \_\_\_ PROPERTY MANAGER

ORDERED that the application is denied, without prejudice to further application, on motion, supported by more sufficient proof of

\_\_\_ the necessity of the appointment    AND/OR

\_\_\_ the appropriateness of the proposed appointee.

DATED: \_\_\_\_\_

Signature: \_\_\_\_\_

ORDER  
DENYING  
EX PARTE APPLICATION  
for  
SECONDARY APPOINTMENT  
(Pursuant to 22 NYCRR § 36.1(a)(10))

INDEX NO.