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JACQUELINE W. SILBERMANN
Administrative Judge
First Judicial District
Supreme Court, Civil Branch

ADMINISTRATIVE ORDER

By the authority vested in me as Administrative Judge of the Supreme Court, Civil Branch, New York County, I issue this Administrative Order and direct as follows:

1) Effective December 22, 2008, as to guardianship cases commenced in 2008 and thereafter, and matters that were commenced prior to 2008 but in which the first annual report and examination thereof will be filed after December 22, 2008, all annual reports shall be judicially settled by the assigned court examiner in accordance with the provisions of Mental Hygiene Law ("MHL") Section 81.33 (c), (d), (e) and (f), and upon filed objections, if any.

2) No later than the 31st of May of each year, the guardian shall submit an annual report for the preceding year, in accordance with MHL Section 81.31, to: a) all parties entitled to notice identified in the order of appointment in accordance with MHL Section 81.16 (c); b) the assigned court examiner; and c) the Guardianship and Fiduciary Support Office of this court located at 60 Centre Street, Room 148, New York, New York 10007.

3) Court examiners shall: a) examine each annual report in accordance with MHL Section 81.32 (a)(2); b) serve the proposed order with respect to each annual report and examination thereof upon all parties entitled to notice identified in the order of appointment in accordance with MHL Section 81.16 (c) and the surety, if any; and c) submit each examined annual report, with notice of settlement, for judicial approval to the Guardianship and Fiduciary Support Office at the address listed above.

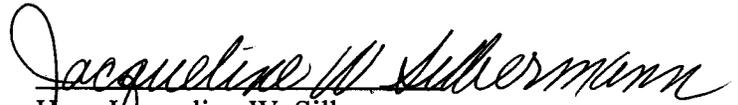
4) With respect to matters in which one or more annual reports were filed prior to the date of this Administrative Order, a guardian may move to settle an intermediate report pursuant to MHL Section 81.33 (a). Once an intermediate report has been settled, all subsequent annual reports shall be judicially settled as provided above.

5) In all matters in which all intermediate and annual reports have been judicially settled, the final report shall contain a) a copy of the most recent order approving the intermediate and/or annual report; b) an accounting of financial management of the guardianship assets subsequent to the date

of the last judicially settled report in the form prescribed by the court; c) proof of death of the incapacitated person or the guardian or proof that a guardian has been appointed in another jurisdiction, as applicable; d) an order settling the final report; and e) an order appointing a successor guardian, if applicable. The final report shall be served on all interested parties and the affidavit of service shall be filed with the final report.

6) As to all guardianship matters that were commenced prior to December 22, 2008 in which annual reports have been confirmed by the court, but have not been judicially settled and no intermediate report has been judicially settled, the procedure for filing annual and final reports that was in place prior to the date of this Administrative Order shall remain unchanged, unless modified by the court.

Dated: December 4, 2008


Hon. Jacqueline W. Silbermann