

# **NEW PROCEDURES FOR CITATIONS AND ORDERS TO SHOW CAUSE (AS PROCESS): Effective January 25, 2021**

## **I. ALTERNATIVE SERVICE OF CITATION:**

1. All Citations submitted to the court must include the following language:

**NOTICE: THIS CITATION IS SERVED UPON YOU IN ACCORDANCE WITH THE COURT'S ORDER DIRECTING ALTERNATIVE SERVICE OF PROCESS. NO IN-PERSON APPEARANCES SHALL BE HELD ON THE RETURN DATE OF THE CITATION. IF YOU WISH TO APPEAR TO ANSWER OR OBJECT TO THIS PROCEEDING, YOU MAY DO SO IN WRITING IN ACCORDANCE WITH THE ANNEXED NOTICE TO CITED PARTIES.**

Modified Citation Forms can be found on the links below. In the event that a Citation Form has not been created for your proceeding, please cut and paste the required language above to customize your Citation accordingly.

2. The Citation must be served in accordance with the Court's Order for Alternative Service and Appearance.

3. The Citation must be served with the Order for Alternative Service and Appearance, Nassau County Surrogate's Court Notice to Cited Parties, the Appearance Form, and any other necessary documents (i.e. the will or account summary).

4. The links to the Order for Alternative Service and Appearance, Nassau County Surrogate's Court Notice to Cited Parties, Appearance Form, and modified Citation(s) are set forth below:

- [Order for Alternate Service and Appearance](#)
- [Nassau County Surrogate's Court Notice to Cited Parties](#)
- [Appearance Form](#)
- [Probate Citation](#)
- [Administration Citation](#)

5. Affidavit(s) of service must reflect service of the Citation(s), the Order for Alternative Service and Appearance, the Nassau County Surrogate's Court Notice to Cited Parties, Appearance Form, and any other necessary documents (i.e. the will or account summary).

## **II. RETURN OF CITATION:**

1. In accordance with the Executive Orders of the State of New York and Administrative Orders of the Chief Administrative Judge in effect, and in response to public safety concerns due to the COVID-19 pandemic, no in-person appearances shall be permitted on the return date of the Citation.

2. The Citation has a return date listed on it. If you do not object to the relief requested, no further action is required. If you want to appear, please file in writing with the court, and serve

the petitioner a signed Notice of Appearance Form (pursuant to SCPA 401) prior to the return date of Citation. (If represented by an attorney, the attorney shall sign, file and serve the Notice of Appearance). The Notice of Appearance Form shall be sent to the Nassau County Surrogate's Court via email at [nassausur.citationresponse@nycourts.gov](mailto:nassausur.citationresponse@nycourts.gov) or by mail to 262 Old Country Road, Mineola, New York 11501 (Attn: Citation Response Dept.). If the court does not hear from you by the date set forth on the Citation, it will be presumed that you do not object to the relief requested.

3. If you or your attorney timely file the Appearance Form, the matter will be marked "contested" and a virtual conference (via Microsoft Teams) shall be scheduled. You will be notified of the virtual conference by the court.

4. If you have any questions regarding these procedures you may contact the court via email at [nassausur.citationresponse@nycourts.gov](mailto:nassausur.citationresponse@nycourts.gov). Keep in mind the court is prohibited from giving legal advice and may only give procedural advice.

### **III. ORDERS TO SHOW CAUSE (AS PROCESS):**

1. All Orders to Show Cause (as Process) submitted to the court must include the following language:

**NOTICE: THIS ORDER TO SHOW CAUSE IS SERVED UPON YOU IN ACCORDANCE WITH THE COURT'S ORDER DIRECTING ALTERNATIVE SERVICE OF PROCESS . NO IN-PERSON APPEARANCES SHALL BE MADE ON THE RETURN DATE. IF YOU WISH TO APPEAR TO ANSWER OR OBJECT TO THIS PROCEEDING, YOU MAY DO SO IN WRITING IN ACCORDANCE WITH THE ANNEXED NOTICE TO CITED PARTIES.**

2. The Order to Show Cause, and the papers upon which it is based, must be served with a Nassau County Surrogate's Court Notice to Cited Parties, Appearance Form, and any other necessary documents.

3. Affidavits of service must reflect service of the Order to Show Cause, the papers upon which it is based, the Nassau County Surrogate's Court Notice to Cited Parties, and Appearance Form.