

**SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

Present: Hon. Margarita López Torres,
Surrogate.

In the Matter of the Service of Citations

ORDER


In recognition of Executive Orders of the State of New York and Administrative Orders of the Chief Administrative Judge in effect in response to COVID-19 and in order to maintain safe protocols by limiting personal interaction and potential COVID-19 exposure, the Court finds that personal service of a citation in a court proceeding may not be feasible or practicable. The Court finds good cause to allow alternative service, pursuant to the authority set forth in SCPA 307 (3) in a manner consistent with the current exigencies and most likely to effectuate actual notice to those cited in court proceedings. Therefore, without any prior application to the Court, on the Court's own motion in its discretion and in the interest of justice, it is hereby

ORDERED, that Petitioner shall serve the citation (with copy of the Will or an account summary, as the case may be), together with the Kings County Surrogate's Court Citation Response Form, on all interested parties named in the citation not less than 20 days before the citation return date if located within the United States including the State of New York, or not less than 30 days before the citation return date if located outside the United States, as follows, and shall be deemed sufficient service:

- (a) by personal service; or
- (b) by any of the following methods:
 - (i) substituted service (CPLR § 308(2)); or
 - (ii) nail and mail service (CPLR § 308(4)); or
 - (iii) USPS Certified Mail or Registered Mail (WITHOUT request for return receipt) and regular mail with postal certificate of mailing; or any form of special mail service [FedEx, DHL or UPS]; or
 - (iv) email with receipt verification, and it is further

ORDERED, that the affidavit of service of the Citation, Response to Citation Form, and other required documents, shall state whether any such mailing has been returned as not delivered to the addressee, and shall be sworn to not less than 15 days after such mailing; and shall be filed with this Court on or before the third business day preceding the return date.

Dated: Brooklyn, New York
October 16, 2020



HON. MARGARITA LOPEZ TORRES
Surrogate