

Suffolk County Surrogate's Court
Updated Protocols
Including Citations, Process Calendars, Conferences, Hearings and Trials

June 1, 2024
(631) 852-1745

1. The Surrogate's Court staff is available to answer questions during regular business hours. You may call (631)852-1745 to access our menu system or the telephone number of a specific department (Probate: 631-852-1725; Administration: 631-852-1714; Guardianship: 631-852-1735; Accounting: 631-852-1720; Miscellaneous: 631-852-1720; Cashier: 631-852-1730).
2. You may file original wills and death certificates in person at the Surrogate's Court, 320 Center Drive, Riverhead, New York.
3. Court records, with the exception of adoption and guardianship proceedings, are available on WebSurrogate. WebSurrogate provides information on estate proceedings and other filings within New York State Surrogate's Courts. It is a free service that allows you to search files, retrieve documents, and view historical records that are considered to be public information.
4. In-person appearances are required in the following matters:
 - (a) Process Calendar
 - (b) Orders to Show Cause,
 - (c) Orders to Attend and be Examined (SCPA 2103), and
 - (d) Orders to Compel Production of a Will

Virtual appearances may be permitted in the court's discretion.

Responsive pleadings shall be submitted through NYSCEF, if represented by counsel, or by mail or NYSCEF if unrepresented.

5. Please alert the court by affidavit/affirmation if your proceeding involves a matter of urgency by contacting the Office of the Chief Clerk at sufsur-chiefclerk@nycourts.gov.
6. In pending proceedings, Guardians ad Litem and Attorneys for the Child may schedule an appointment to review the file at the courthouse.
7. Conferences held by a member of the Law Department may be held in-person or by telephone or video. All video conferences will be conducted using Microsoft Teams. We will work with you to set up a convenient time and method to hold the conference. Please call (631)852-1745 if you have any questions.

8. Motions are taken on submission unless oral argument is requested and granted. When filing motions, please be guided by the following:
 - a. All motions must be returnable on a Tuesday process day. Please see attached calendar for all process dates through the end of the year.
 - b. Motions must be e-filed – hand delivered papers will be deemed rejected and not considered.
 - c. All responding papers must be e-filed by noon on the date due.
 - d. Requests for adjournments should be received at least two business days prior to the return date.
 - e. Supporting Affirmations and Affidavits must be uploaded separately from exhibits.
 - f. In pending contested matters, counsel may request a telephone conference with all parties and the assigned law assistant prior to e-filing the application, especially if the motion relates to discovery.
 - g. We do not require working copies.
9. The court will call the process calendar at 9:30 a.m. Unless otherwise provided for in these protocols, or allowed and arranged in advance, all matters will be in person. Calendar markings will be posted on our website each week.
10. We have attached our local form of citation for various proceedings, which follows the official forms for use in Surrogate's Court Practice.
11. Service of process will follow the statutory provisions of Article 3 of the SCPA.
12. New contested matters will be subject to mandatory ADR and otherwise governed by the court's standard and customary procedures.
13. Matters referred to mediation through the court's mandatory Alternate Dispute Resolution (ADR) program will be referred to roster mediators, with an option for private mediation. (See separate protocols for information on mediation).
14. Orders to Show Cause with temporary restraints or other interim relief shall be filed with the court with sufficient notice to the respondent/adversary to permit them the opportunity to be heard. The applicant shall contact the court by phone (631-852-1745) to request permission to be heard. The Court will then determine the method of hearing this matter and notify parties accordingly.
15. Where a conference or hearing is being conducted via Microsoft Teams, the participants (counsel, parties, etc.) should enter the meeting fifteen (15) minutes prior to its scheduled time and be ready to proceed. Court matters conducted via Microsoft Teams are formal proceedings. Parties and counsel, if represented, should be guided accordingly.