

Surrogate's Court Procedure Act §302. Pleadings. (Includes verified objections.)

- SCPA 302(2). Statements in a pleading shall be sufficiently particular to give the court and parties notice of the claim, objection or defense and shall contain a demand for the relief sought.
- SCPA 302(3). Copies of all pleadings, except an account, shall be served upon any party who has appeared in the proceeding and demanded a copy of all papers be served upon him, and upon all parties upon whom the court by order or oral direction entered in the minutes directs that service be made. A party who fails to comply with this requirement may be treated as a party in default.

(Other statutory provisions may also apply.)

Filing Timely Objections.

•The time to file objections depends on the type of proceeding filed (refer to the applicable statute). Generally, objections may be filed on or before the return date of the citation or, if objecting to the grant of letters, before letters are issued (SCPA 709). Whenever the time to file objections has expired, objections shall not be accepted for filing unless accompanied by a stipulation of all parties to extend the time or unless ordered by the court (UR 207.36).

Surrogate's Court Procedure Act §2402. Court Fees.

- SCPA 2402(9)(ii). Objections to the probate of a will, SCPA 1410: \$150.
- SCPA 2402(9)(iv). Objections or answer in any action or proceeding other than probate: \$75.
- SCPA 2402(9)(i). A demand for trial by jury in any proceeding, SCPA 502: \$150 per party.

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

Estate of _____X

Deceased;

**VERIFIED
OBJECTIONS**

File No. _____

_____X

TO THE SURROGATE'S COURT, COUNTY OF NEW YORK:

It is respectfully alleged:

1. My name, telephone number, permanent address, and email address are:

Name: _____ Telephone number: _____

Permanent Address: _____
(Street Address) (County)

(City/Town/Village) (State) (Zip Code)

Email Address: _____

2. My relationship to decedent/interest in the above proceeding is: _____

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

_____X
Estate of

**AFFIRMATION
OF SERVICE**

Deceased;

File No. _____

_____X

TO THE SURROGATE'S COURT, COUNTY OF NEW YORK:

On the ____ day of _____, 20____, I served a copy of the verified objections dated _____, 20____, by depositing a true copy thereof enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following:

I affirm this ____ day of _____, 20____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, except as to matters alleged on information and belief and as to those matters I believe it to be true, and I understand that this document may be filed in an action or proceeding in a court of law.

Signature

Print Name