

PART 207. UNIFORM RULES FOR SURROGATE'S COURT

Section 207.37. Submission of orders, judgments and decrees for signature.

(a) Proposed orders or judgments, with proof of service on all parties where the order is directed to be settled or submitted on notice, must be submitted for signature, within 60 days after the signing and filing of the decision directing that the order be settled or submitted.

(b) Failure to submit the order or judgment timely shall be deemed an abandonment of the motion or proceeding unless for good cause shown.

(c) (1) When settlement of an order or judgment is directed by the court, a copy of the proposed order or judgment with notice of settlement, returnable at the office of the clerk of the part in which the order or judgment was granted, or before the judge if the court has so directed or if the clerk is unavailable, shall be served on all parties either:

(i) by personal service not less than five days before the day of settlement; or

(ii) by mail not less than 10 days before the date of settlement; or

(iii) by overnight delivery not less than six days before the date of settlement.

(2) Proposed counter-orders or judgments shall be made returnable on the same date and at the same place, and shall be served on all parties by personal service, not less than two days, or by mail, not less than seven days, before the date of settlement.

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

<p style="text-align: center;">Proceeding for Letters of Administration, Estate of</p> <p>a/k/a</p> <p style="text-align: right;">Deceased</p>
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NOTICE OF SETTLEMENT

File No.

PLEASE TAKE NOTICE that annexed is a copy of the proposed Decree Granting Letters of Administration which will be presented to the Surrogate for settlement and signature at the Surrogate's Court of New York County, 31 Chambers Street, New York, New York on _____, 20____, at 9:30 A.M.

Dated: _____, 20____

Respectfully submitted,

By: _____

Attorney/Petitioner:

Address:

Tel No.:

To:

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

**Proceeding for Letters of Administration,
Estate of**

a/k/a

Deceased

AFFIDAVIT OF SERVICE

File No.

STATE OF)
COUNTY OF) SS.:

I, the undersigned, being duly sworn, deposes and says:

I am not a party to this proceeding, am over 18 years of age, and reside at:

On _____, 20____, I served the annexed *Notice of Settlement* and proposed *Decree Granting Letters of Administration* 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:

Signature

Print Name

Sworn to before me on
_____, 20____

Notary Public
My Commission Expires:
(Affix Notary Stamp or Seal)