

SURROGATE'S COURT OF THE COUNTY OF BROOME

92 Court Street, P.O. Box 1766

Binghamton, NY 13901

(607) 240-5789

www.nycourthelp.gov

How to serve the citation

After the citation is issued by the court clerk, a photocopy or conformed copy is served on the person named on the citation (the respondent) as follows:

Location of respondent:

Available methods of service:

When:

•New York State

•Personal delivery

•10 or more days before the court date

•Outside New York State but within US or a US territory
(Includes: Puerto Rico, ...)

•Personal delivery
•Certified mail return receipt requested
•Registered mail return receipt requested
•Special Mail Service (see ¹ below)

•20 or more days before the court date

•Foreign country

•Personal delivery
•Registered mail return receipt requested
•Special Mail Service ¹

•30 or more days before the court date

Filing affidavits of service of the citation

Affidavits of service must be filed 2 or more business days before the court date (Uniform Rule 207.7[c]). Affidavits of **mail service** must be filed with a photocopy of the signed Return Receipt, Proof of Delivery², or an affidavit of deliverability³ indicating whether the mail was returned undelivered.

Court Appearance

The petitioner or an attorney on his/her behalf is required to appear in court on the date and at the time stated on the citation.

¹ USPS Express Mail or any designated delivery service: <http://www.tax.ny.gov/pdf/publications/general/pub55.pdf>

² Printout of delivery service's online delivery confirmation.

³ Statement must be made at least 25 days after the citation was mailed or 5 or fewer days before the court date.

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

**Note: Affidavits of Service must be filed with
the court 2 or more business days before
the court date.** (Uniform Rule 207.7[c])

X
PROCEEDING FOR _____

IN THE ESTATE OF

**AFFIDAVIT OF SERVICE
OF CITATION
(Personal Delivery)**

Deceased.

File No. _____

STATE OF NEW YORK X
COUNTY OF BROOME ss.:

I, _____, residing at _____,
being duly sworn, says that I am over the age of eighteen years; that I made personal service of the citation
herein dated _____, 20____, on each person named below, each of whom I knew to be the
person mentioned and described in said citation, by delivering to and leaving with each of them personally a true
copy of said citation, as follows:

(Include name and description of person(s) served, and time and place of service)

1. On _____, description: sex _____, color of skin _____,
(name of person served)
color of hair _____, approximate age _____, weight _____, height _____,
on _____, 20____ at _____ (___a.m/___p.m),
at _____.

2. On _____, description: sex _____, color of skin _____,
(name of person served)
color of hair _____, approximate age _____, weight _____, height _____,
on _____, 20____ at _____ (___a.m/___p.m),
at _____.

3. On _____, description: sex _____, color of skin _____,
(name of person served)
color of hair _____, approximate age _____, weight _____, height _____,
on _____, 20____ at _____ (___a.m/___p.m),
at _____.

That none of the aforesaid persons is in the Military Service as defined by the Act of Congress known as the "Soldiers' and Sailors'
Civil Relief Act of 1940" and in the New York "Soldiers' and Sailors' Civil Relief Act."

Sworn to before me this

_____ day of _____, 20____

Notary Public

Commission Expires:
(Affix Notary Stamp or Seal)

Name of Attorney: _____ Tel. No.: _____

Address of Attorney: _____

Signature

Print Name

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

_____X

PROCEEDING FOR _____
IN THE ESTATE OF

Deceased.
_____X

**STATE OF NEW YORK
COUNTY OF BROOME**

} **ss.:** File No. _____

Note: This affidavit of service must be filed in the court two or more business days before the scheduled court date. (Uniform Rule 207.7[c]).
Court date: _____

**AFFIDAVIT OF SERVICE
OF CITATION
(By Mail)**

1. I, _____, being duly sworn, say that I am over the age of eighteen years, reside at _____, and on _____, 20____ served a copy of the citation dated _____, 20____ on each of the persons named below by depositing a copy enclosed in a sealed postpaid envelope in a post office or other depository under the exclusive care and custody of the United States Postal Service, or by designated private delivery service, directed to the following persons at the following addresses:

2. Method of service:

- USPS Certified Mail, Return Receipt Requested.
- USPS Registered Mail, Return Receipt Requested.
- USPS Express Mail.
- Private delivery service (specify company [ex. FedEx; UPS] and type of mailing):

3. Proof of delivery:

- (a) Attached is a copy of:
 - the signed return receipt.
 - the delivery service's online delivery confirmation.
- (b) I did not receive the signed return receipt or obtain delivery confirmation but it is 25 days after the date of mailing or 5 or fewer days before the court date and:
 - no mailings were returned undelivered.
 - no mailings were returned undelivered other than those directed to the following person(s):

Signature

Print Name

Sworn to before me on _____, 20____

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