

**APPLICATION TO APPOINT GUARDIAN
ARTICLE 81 M.H.L.**

Relevant statutes:

Section §81.05	Venue (where presented)
Section §81.06 (a)	Who may commence a proceeding
Section §81.07	Notice
Section §81.08	Petition (contents of verified petition)

CONTENTS OF THE VERIFIED PETITION

1. Name, age, address and telephone number of the alleged incapacitated person (AIP).
2. Name, address and telephone number of person or persons with whom the AIP resides, if any.
3. Description of AIP's functional level.
4. If personal needs powers are sought, specific factual allegations that demonstrate the AIP is likely to suffer harm because of his/her inability to provide for personal needs.
5. If property management powers are sought, specific factual allegations that demonstrate the AIP is likely to suffer harm because of his/her inability to provide for property management.
6. Particular powers being sought and their relationship to the functional level and needs of the AIP.
7. Duration of the powers.
8. Approximate value and description of AIP's assets, and if AIP is a recipient of public assistance.
9. Nature and amount of any claim, debt or obligation of the AIP.
10. Names, addresses and telephone numbers of presumptive distributees.
11. Name, address and telephone number of the petitioner.
12. Name, address and telephone number of the proposed guardian, their relationship to the AIP and why they are suitable to act as such.
13. Any provisional remedies sought (Temporary Guardian, Injunction, TRO).
14. Available resources considered by petitioner and petitioner's opinion as to their sufficiency and reliability.
15. Any other information that will assist the Court Evaluator in the investigation and report.
16. C.P.L.R. 2217 (b) C Prior application for similar relief.

Mental Hygiene Legal Services must be noticed and served on all cases where the AIP resides in a mental hygiene facility.

Mental Hygiene Legal Services
170 Old Country Road
Mineola, New York 11501

Office of Revenue & Investigation
HRA - ATTENTION: H. Gibbs
220 Church Street
New York, New York 10013