

## 17A Terminology

**Petitioner**- the person asking for relief from the court. Usually it is the parent or parents. There are spaces for two individuals. Fill in the contact information for one or both petitioners. The petitioner or petitioners is usually, but not always, the person seeking to be guardian.

**Respondent** - person is alleged to be under a disability.

**Interested party**- immediate family members who have a right to object to the relief requested. A second parent or a sibling of the Respondent

**Waiver of Process, Renunciation and Consent to Appointment of Guardian** – must be completed by individuals who are closely related to the Respondent; a second parent who is not seeking to be guardian or the siblings of the Respondent if above the age of 18 (this depends on who is applying and the family make up).

**Consent, Oath and Designation** – must be completed, signed and notarized by the individuals who are seeking appointment as Standby, Alternate, First alternate. Each document should be completed according to the status of the individual and consistent throughout.

**Citation** – the citation is issued to the Respondent after a file has been reviewed and becomes ready for a hearing. The Citation should be completed asking for the same relief as in the wherefore clause in the petition

**3909** – PLEASE WAIT TO COMPLETE THIS DOCUMENT WITH A MEMBER OF OUR STAFF. IN THE MEANTIME, GATHER THE INFORMATION. PLEASE HAVE THE ADDRESSES YOU AND ALL ADULTS IN THE HOUSEHOLD RESIDED AT FOR THE PAST 28 YEARS, INCLUDING MONTH AND YEAR.

## 17-A PERSON ONLY APPLICATION STEPS

Family/Petitioner(s) should attend information session and obtain copy of the forms to understand the process

Family/Petitioner(s) should start collecting the following documents and or information

- Original birth certificate
- Residential history for the past 28 years
- Two physician certifications or one physician certification and one psychologist certification
- IEP
- \$20 filing fee

After completing the forms as best as you can and collecting the above listed information, please call 718-675-8510 to make an individual appointment to review the documents. If there is anything outstanding or needs clarification, you will be notified by mail.

Once the file is marked submitted and a review indicates it is in good form, then you as the petitioner and all necessary parties will have to call the court to make a fingerprint appointment. That can be done by calling 718-675-8500

Once the court receives all reports from the various agencies, the file is marked complete and can then be reviewed by the law department. The family/petitioner(s) will be notified if a conference is needed to obtain further information. If not, then a decision will be mailed to the family/petitioner(s) to schedule the matter for a hearing. Along with the decision will be the citation which has to be served upon the respondent. Proof of service can be brought to the court the day of the hearing.

Hearing Date- final step of the process. The petitioner(s) will attend a hearing in front of the Surrogate or a member of the Court and be asked various questions on the matter. This is a statutory requirement. At the conclusion of the hearing, the matter will be marked decision reserved and a decision will be rendered either granting or denying the 17A Petition.

Our guardianship department is always available to answer any questions you may have during the process.