

## SCPA 17 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 whom you are seeking guardianship over; the infant

**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).

**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** – SEE MOCK 3909 form for assistance

## SCPA 17 PROPERTY ONLY APPLICATION STEPS

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

- Original birth certificate
- Residential history for the past 28 years
- \$20 filing fee plus \$6 for each certificate (for each financial institution)
- 

After completing the forms as best as you can and collecting the above listed information, please email Alex at [aquinter@nycourts.gov](mailto:aquinter@nycourts.gov) or Irini at [ibekhit@nycourts.gov](mailto:ibekhit@nycourts.gov) for review.

Once the file is marked submitted and a review indicates it is in good form, then you will be contacted by the court for the fingerprint appointment.

Once the court receives all reports from the various agencies, the file is marked complete and can then be reviewed by the law department. A decision is then drafted and signed by the Judge. Said decision, decree and Letters of Guardianship will be EMAILED to you if the application is approved.

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