

ONONDAGA COUNTY SURROGATE'S COURT  
ONONDAGA COUNTY COURTHOUSE  
SYRACUSE, NEW YORK 13202-2173



AVA S. RAPHAEL  
SURROGATE

Telephone (315) 671-2100

Facsimile (315) 671-1162

ELLEN S. WEINSTEIN, ESQ  
CHIEF CLERK

## NOTICE:

Pursuant to recently promulgated Administrative Orders of the Chief Administrative Judge of the Courts, the following Uniform Rules for Surrogate's Court have been amended, effective March 1, 2016:

### **§ 207.20. Inventory of Assets (and Forms) <sup>1</sup>**

### **§ 207.64. Omission or Redaction of Confidential Personal Information; Public Access to Certain Filings <sup>2</sup>**

*See attached for the complete text of both Rules, as amended  
and the new official*

*Inventory of Assets Form (1-1 3/2016) and Firearms Inventory Form (1-2 3/2016)*

---

<sup>1</sup> Some key points of 207.20 Inventory of Assets: *This Rule, as amended, changes the time by which the Inventory of Assets (Form I-1) “[s]hall be filed with the court” from 6 months to 9 months; further note that this amended form does not require specific dollar figures of estate assets; instead the assets are to be valued within specific category ranges set forth in the Rule [see subsection (a)(1) of the Rule for categories A through G]; also note that pursuant to Rule 207.64, as amended, Form I-1 is not one of the filings to which public access is restricted; however, the Firearms Inventory (Form I-2), is.*

<sup>2</sup> Some key points of 207.64 Omission or Redaction of Confidential Personal Information: *This Rule, as amended, defines Confidential Personal Information (“CPI”); and pursuant to 207.64(a)(1) charges the parties submitting papers to the court for filing to omit or redact CPI “except as otherwise provided by rule or law or court order, and whether or not a sealing order is or has been sought”; and subsection (b)(1) through (5) carves out those filings which shall be the subject of restricted public access.*

Uniform Rules for the New York State Trial Court  
Part 207. Uniform Rules for Surrogate's Court

**N.Y.Ct.Rules, § 207.20**

**§ 207.20. Inventory of Assets**

(a) The fiduciary or the attorney of record shall furnish the court with an Inventory of Assets form which identifies the following:

(1) those assets that either were owned by the decedent individually, including those in which the decedent had a partial interest, or were payable or transferrable to the decedent's estate, by indicating the total value thereof by letter only for one of the following categories: A-under \$10,000: B-\$ 10,000 to under \$20,000: C-\$20,000 to under \$50,000: D-\$50,000 to under \$100,000: E-\$100,000 to under \$250,000: F-\$250,000 to under \$500,000: G-\$500,000 or over: and

(2) those assets held in trust: those assets over which the decedent had the power to designate a beneficiary: jointly owned property: and all other non-probate property of the decedent by checking yes or no.

(b) The Inventory of Assets form shall be filed with the court within nine months of the date letters issued to the fiduciary or as the court otherwise directs.

(c) In the event the Inventory of Assets is not filed, the court may refuse to issue certificates, may revoke the letters and may refuse to issue new ones until such list has been filed and the fees paid as provided in SCPA 2402. Failure to file such list of assets may also constitute grounds for disallowance of commissions or legal fees.

(d) If any additional filing fees are due, they shall be paid to the court at the time of the submission of the inventory.

Effective March 1, 2016

[N. Y. Ct. Rules, § 207.20, NY R UNIF TRIAL CTS § 207.20]

N.Y.Ct.Rules, § 207.64

§ 207.64. Omission or Redaction of Confidential Personal Information; Public Access to Certain Filings

(a) Omission or Redaction of Confidential Personal Information.

(1) Except as otherwise provided by rule or law or court order, and whether or not a sealing order is or has been sought, the parties shall omit or redact confidential personal information in papers submitted to the court for filing. For purposes of this rule, confidential personal information ("CPI") means: i. the taxpayer identification number of an individual or an entity, including a social security number, an employer identification number, and an individual taxpayer identification number, except the last four digits thereof; and ii. other than in a proceeding under Article 13 of the SCPA, a financial account number, including a credit and/or debit card number, a bank account number, an investment account number, and/or an insurance account number, except the last four digits or letters thereof.

(2) The court sua sponte or on motion by any person may order a party to remove CPI from papers or to resubmit a paper with such information redacted; order the clerk to seal the papers or a portion thereof containing CPI in accordance with the requirement of 22 NYCRR § 216.1 that any sealing be no broader than necessary to protect the CPI; for good cause permit the inclusion of CPI in papers; order a party to file an unredacted copy under seal for in camera review; or determine that information in a particular action is not confidential. The court shall consider the pro se status of any party in granting relief pursuant to this provision.

(3) Where a person submitting a paper to a court for filing believes in good faith that the inclusion of the full CPI described in Paragraph (1) of this subdivision is material and necessary to the adjudication of the proceeding before the court, he or she may apply to the court for leave to serve and file, together with a paper in which such information has been set forth in abbreviated form, a confidential affidavit or affirmation setting forth the same information in unabbreviated form, appropriately referenced to the page or pages of the paper at which the abbreviated form appears.

(4) When served with objections or a request for an inquiry or examination under SCPA 2211 or 1404 that specifies a request for particular unredacted documents previously filed in the proceeding with respect to which the objection or request for inquiry or examination relates, the party who originally served and filed the redacted document shall serve (but not file) an unredacted version upon all parties interested in the proceeding or such portion of it to which the objection or request for inquiry or examination relates.

(b) Public Access to Certain Filings. The officers, clerks and employees of the court shall not permit a copy of any of the following documents to be viewed or taken by any other person than a party to the proceeding, or the attorney or counsel to a party to the proceeding, the Public Administrator or counsel thereto, counsel for any Federal, State or local governmental agency, or court personnel, or by order of the court or written permission of the Surrogate or Chief Clerk of the court. The standard for the grant of such permission in a contested matter shall be the same as required under 22 NYCRR 216.1 and applicable law:

(1) All papers and documents in proceedings instituted pursuant to Articles 17 or 17-A of the SCPA;

(2) Death certificates;

(3) Tax returns;

(4) Firearms Inventory; and

(5) Documents containing information protected from disclosure under other provisions of Federal or State law such as HIPAA for medical information, job protected services reports, material obtained from a state mental hygiene facility under MHL 33.13, and records involving alcohol or other substance abuse under 42 CFR 2.64. These examples are not intended to be exclusive.

This rule shall not preclude disclosure or copying of any index of filings maintained by the court. Any determination by the court regarding access to any filings may be the subject of an appropriate motion for clarification or reconsideration.

Effective March 1, 2016

[N. Y. Ct. Rules, § 207.64, NY R UNIF TRIAL CTS § 207.64]

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

-----x  
**In the Matter of**

**TO BE FILLED OUT BY FIDUCIARY or  
ATTORNEY FOR FIDUCIARY**

Total Estate Assets (see below)\* \_\_\_\_\_  
Filing fee SCPA 2402(7) \_\_\_\_\_  
Filing fee initially paid \_\_\_\_\_  
Balance (Refund) Due \_\_\_\_\_

**Deceased.**  
-----x

**INVENTORY OF ASSETS (Rule §207.20)**

**File No:** \_\_\_\_\_

The undersigned, a fiduciary or attorney for the fiduciary of the above Decedent's estate, certifies that the following constitutes the gross estate for tax purposes and identifies whether non-estate assets exist. Complete below according to the following value categories:

Category A - under \$10,000; Category B - \$10,000 to under \$20,000; Category C - \$20,000 to under \$50,000;  
Category D - \$50,000 to under \$100,000; Category E - \$100,000 to under \$250,000;  
Category F - \$250,000 to under \$500,000; Category G - \$500,000 or over.

Date of Death: \_\_\_\_\_ Date of Letters: \_\_\_\_\_ Type of Letters \_\_\_\_\_

Name of Fiduciary(ies) and, if changed, fiduciary(ies) address: \_\_\_\_\_

**ASSETS INDIVIDUALLY OWNED BY DECEDENT  
OR PAYABLE TO ESTATE**

**CATEGORY**

- |  |  |
|--|--|
| 1. Real Estate                         | _____  |
| 2. Stocks and Bonds                    | _____  |
| 3. Insurance Payable to Estate         | _____  |
| 4. IRAs, 401Ks Payable to Estate       | _____  |
| 5. Mortgages or Notes Held by Decedent | _____  |
| 6. Cash                                | _____  |
| 7. Miscellaneous                       | _____  |
| 8. Firearms                            | _____  |
| (Check appropriate box)                | [ ] Yes - See attached Firearms Inventory form<br>[ ] None |

**\*TOTAL ESTATE ASSETS**

\_\_\_\_\_

**NON-ESTATE ASSETS - CHECK YES OR NO TO EACH OF THE FOLLOWING:**

- |  |           |          |
|--|-----------|----------|
| 9. Living Trust  | _____ Yes | _____ No |
| If yes, set forth the Name of the Trustee(s)   |           |          |
| _____  |           |          |
| 10. Gifts in Excess of Federal Annual Exclusion<br>Made Within 3 Years of Decedent's Death | _____ Yes | _____ No |
| 11. Jointly Held Property (Real or Personal)   | _____ Yes | _____ No |
| 12. Insurance Payable to Beneficiary   | _____ Yes | _____ No |
| 13. IRAs, 401K's Payable to Beneficiary  | _____ Yes | _____ No |
| 14. Annuities  | _____ Yes | _____ No |
| 15. Powers of Appointment  | _____ Yes | _____ No |
| 16. Cause(s) of Action Pending   | _____ Yes | _____ No |
| If yes, identify Court and Index Number  |           |          |
| _____  |           |          |

Certified to be true on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Attorney's Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Attorney's Address & Telephone No: \_\_\_\_\_

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

**In The Matter of the Estate of** \_\_\_\_\_

**ONONDAGA COUNTY  
FIREARMS INVENTORY  
(SCPA §2509)**

**Deceased.** \_\_\_\_\_

**FILE NUMBER** \_\_\_\_\_

The undersigned, [ ] a fiduciary, or [ ] an attorney of record certifies that the following firearms, as defined by Section 265.00 of the Penal Law, make up part of the decedent's estate.

Name of Fiduciary or Attorney: \_\_\_\_\_

(Address, if changed): \_\_\_\_\_

	<b>Make:</b>	<b>Model:</b>	<b>Caliber or Gauge:</b>	<b>Serial #:</b>	<b>Category:</b>
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
				<b>TOTAL: (as indicated in #8 of Inventory of Assets)</b>	
<input type="checkbox"/> (mark box if more entries are necessary - and attach extra pages)					

**ATTORNEY**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Certified to be true on \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

*A copy of the Inventory must also be filed with DCJS at:*

*Division of Criminal Justice Services  
Alfred E. Smith Building  
80 South Swan Street  
Albany, NY 12210*

Firearms Inventories filed with the Surrogate's Court will be kept in a secure location separate from the estate file and may be made available for inspection pursuant to §207.64(b) of the Uniform Rules for the Surrogate's Court.