



TAKE JUDICIAL NOTICE

Public Access to Surrogate's Court Documents

On February 19, 2014, the Chief Administrative Judge of the Courts signed an order (see link below) limiting public access (which includes title companies) to certain types of Surrogate's Court files and documents. The order is Section 207.64 of the Uniform Civil Rules of the Surrogate's Court.

The new section of the law prohibits the public from viewing files in proceedings relating to Section 17 and 17-A of the Surrogate's Court Procedure Act.

Article 17 concerns guardians and custodians, while Article 17-A is concerned with guardianship of developmentally disabled persons.

While title companies are most interested in probate and administration proceedings (which remain available), there certainly are times when a title company needs to see an order appointing a guardian or authorizing a guardian to sell real property. With the advent of this order limiting public access to guardianship proceedings, title companies will rely on the attorneys in such a transaction to produce the necessary documents.

The order also limits access to certain other documents; most significant of those are death certificates, and any document containing social security numbers. Again, in these cases, title companies will need the cooperation of the attorneys. As always, Judicial Title appreciates your understanding and patience.

[Administrative Order of the Chief Administrative Judge of the Courts](#)