**§ 79.07 Petition; contents.**

A petition for the appointment of a guardian for an incompetent or conservatee ward may be filed in the supreme court or in the county court pursuant to jurisdiction given in the laws of the state, by or on behalf of any person who, under the laws of the state, is entitled to file such a petition. A petition for the appointment of a guardian for an infant ward may be filed in the surrogate's court pursuant to jurisdiction given in the surrogate's court procedure act, by or on behalf of any person who, under the provision of the surrogate's court procedure act, is entitled to file such petition.

The petition for appointment of a guardian, whether the ward be a mental incompetent or an infant, shall set forth the name, age, place of residence of the ward, the names and places of residence of the nearest relative, if known, and the fact that such ward is entitled to receive moneys payable by or through the administration and shall set forth the amount of moneys then due and the amount of probable future payments.

The petition shall also set forth the name and address of the person or institution, if any, having actual custody of the ward.

In the case of a mentally incompetent ward the petition shall show that such ward has been rated incompetent on examination by the administration in accordance with the laws and regulations governing the administration.