§ 1702. Jurisdiction

1. Where an infant has no guardian the court may appoint a guardian of his person or property, or of both, in the following cases:

(a) Where the infant is domiciled in that county or has sojourned therein immediately preceding the application.

(b) Where the infant is a non-domiciliary of the state but has property situate in that county.

2. Where an infant or child has no guardian, the court may appoint a permanent guardian for the child in accordance with the provisions of section seventeen hundred one of this article where the infant is domiciled in that county or where such child is in the care or custody of an authorized agency, as defined in subdivision ten of section three hundred seventy-one of the social services law, and such authorized agency has its principal office in that county.

3. Where the permanency goal for a foster child who is the subject of a proceeding under article ten or ten-A of the family court act is referral for legal guardianship, a petition filed under this article by a fit and willing relative or other suitable person shall be filed with the court before whom the most recent proceeding under article ten or ten-A of the family court act is pending.