

**597.6 Mental illness — conveyance of property.**

Where either the husband or wife is mentally ill and incapable of executing a deed or mortgage relinquishing, conveying, or encumbering the husband's or wife's right to the real property of the other, including the homestead, the other may petition the district court of the county of that spouse's residence or the county where the real estate to be conveyed or encumbered is situated, setting forth the facts and praying for an order authorizing the applicant or some other person to execute a deed or mortgage and relinquish or encumber the interest of the person with mental illness in said real estate.

[R60, §1500; C73, §2216; C97, §3167; S13, §3167; C24, 27, 31, 35, 39, §10451; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §597.6]

[96 Acts, ch 1129, §113](#)

Referred to in [§229.27](#)

See also probate code [§633.642](#)