

her successor in interest, and on the mortgagee or assignee for security purposes of the vendee or his or her successor in interest, if the interest of such mortgagee or assignee for security purposes is of record, and on the party in possession of said real estate, a written notice which shall:

Sec. 2. Section six hundred fifty-six point four (656.4), Code 1979, is amended to read as follows:

656.4 COMPLIANCE WITH NOTICE. The right to forfeit for breach occurring before said notice was served shall terminate if, prior to the expiration of the day for performance as specified in the notice, the party in default, or the mortgagee or assignee for security purposes of the party in default, performs the terms and conditions as to which he or she is in default, and pays to the party not in default the reasonable cost of serving said notice.

Sec. 3. This Act applies to all forfeitures and cancellations of real estate contracts initiated on or after the effective date of this Act.

Sec. 4. This Act is effective January first following its enactment.

Approved March 13, 1980

CHAPTER 1186
PARENT AND CHILD
H. F. 2516

AN ACT relating to the determination of the parent and child relationship and the obligations of parents to their children.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Chapter six hundred seventy-five (675), Code 1979, is amended by adding sections two (2) and three (3) of this Act.

Sec. 2. NEW SECTION. CUSTODY AND VISITATION. The mother of a child born out of wedlock whose paternity has not been acknowledged and who has not been adopted has sole custody of the child unless the court orders otherwise. If a judgment of paternity is entered, the father may petition for rights of visitation or custody in an equity proceeding separate from any action to establish paternity.

Sec. 3. NEW SECTION. BLOOD TESTS. In any proceeding to establish paternity in law or in equity the court may on its own motion, and upon request of a party shall, require the child, mother, and alleged father to submit to blood tests. If a blood test is required, the court shall direct that inherited characteristics, including but not limited to blood types, be determined by appropriate testing procedures, and shall appoint an expert qualified as an examiner of genetic markers to analyze and interpret the results and to report to the court. Blood test results which show a statistical probability of paternity are admissible and shall be weighed along with other evidence of the alleged father's paternity. If the results

of blood tests or the expert's analysis of inherited characteristics is disputed, the court, upon reasonable request of a party, shall order that an additional test be made by the same laboratory or an independent laboratory at the expense of the party requesting additional testing. Verified documentation of the chain of custody of the blood specimens is competent evidence to establish the chain of custody. A verified expert's report shall be admitted at trial unless a challenge to the testing procedures or the results of blood analysis has been made before trial. All costs shall be paid by the parties in proportions and at times determined by the court.

Sec. 4. This Act takes effect January first following its enactment.

Approved May 17, 1980

CHAPTER 1187
STATE APPELLATE DEFENDER
S. F. 2229

AN ACT establishing the office of state appellate defender.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Sections two (2) through six (6) of this Act shall not be codified and are effective only for the fiscal year beginning July 1, 1980 for the purpose of establishing a pilot program contingent upon the receipt of funds other than a direct appropriation for the fiscal year 1980-1981. The first session of the Sixty-ninth General Assembly shall review the operations of the program and determine the feasibility of its continuance.

Sec. 2. DEFINITIONS. As used in this Act unless the context otherwise requires:

1. "Appellate defender" means the state appellate defender.

2. "Indigent" means a person found by the trial court to be unable to retain legal counsel without prejudicing the person's financial ability to provide economic necessities for the person and the person's dependents.

Sec. 3. CREATION OF OFFICE. The office of state appellate defender is established as a pilot program for the fiscal year beginning July 1, 1980. The governor shall appoint the state appellate defender and establish the appellate defender's salary.

Sec. 4. QUALIFICATIONS OF APPELLATE DEFENDER. Only persons admitted to practice law in this state shall be appointed appellate defender or assistant appellate defender.

Sec. 5. DUTIES OF APPELLATE DEFENDER. The appellate defender shall represent indigents on appeal in criminal cases and in proceedings to obtain postconviction relief when appointed to do so by the district court in which the judgment or order was issued and shall not engage in the private practice of law. The court may, upon the application of the indigent or the