

CHAPTER 201  
CHANGE OF NAME OF MINOR  
S. F. 121

AN ACT allowing a parent to file a petition to change the name of a minor child of the parent.

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

Section 1. Section 674.1, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

674.1 AUTHORIZATION. A person who has attained the age of majority and who does not have any civil disabilities may apply to the court to change his or her name by filing a verified petition as provided in this chapter. The verified petition may request a name change for minor children of the petitioner as well as the petitioner or a parent may file a verified petition requesting a name change on behalf of a minor child of the parent.

Sec. 2. Section 674.2, unnumbered paragraph 1 and subsection 1, Code 1981, are amended to read as follows:

The verified petition shall be addressed to the district court of the county where the applicant resides and shall state for each person seeking a name change:

1. The name ~~of petitioner~~ at the time the petition is filed of the person whose name is to be changed and the person's county of residence of--the petitioner. If the person whose name is to be changed is a minor child, the petition shall state the name of the petitioner and the petitioner's relationship to the minor child.

Sec. 3. Section 674.6, Code 1981, is amended to read as follows:

674.6 SPOUSE MUST JOIN. If the petitioner is married, the spouse must join in the petition or file written consent with the petition.

If the ~~petitioner has~~ petition includes or is filed on behalf of a minor child, ~~the petition shall state this fact and shall state all the information about the child that is required of a petitioner in section 674.2, if the minor child is~~ fourteen years of age or older, the child's written consent to the change of name of that child is required.

If the ~~petitioner~~ petition includes or is filed on behalf of a minor child under fourteen ~~in the petition filed in accordance with this chapter,~~ both parents as stated on the birth certificate of the minor child shall file their written consent ~~for~~ to the name change. ~~If both parents do not file their consent, the court shall decide the appropriateness of the change of the minor child's name~~ If one of the parents does not consent to the name change, a hearing shall be set on the petition on twenty days notice to the non-consenting parent pursuant to the rules of civil procedure. At the hearing the court may waive the requirement of consent as to one of the parents if it finds:

1. That the parent has abandoned the child;
2. That the parent has been ordered to contribute to the support of the child or to financially aid in the child's birth and has failed to do so without good cause; or
3. That the parent does not object to the name change after having been given due and proper notice.

Sec. 4. Section 674.9, Code 1981, is amended to read as follows:

674.9 MINOR CHILDREN. Any new birth certificate issued to ~~the-petitioner~~ ~~or--a--minor--child-of-the-petitioner~~ a person granted a change of name shall reflect the former name of the person ~~affected--by~~ issued the new birth certificate.

Approved May 14, 1981

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CHAPTER 202  
ARBITRATION AGREEMENTS

H. F. 386

AN ACT to provide for the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties.

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

Section 1. NEW SECTION. VALIDITY OF ARBITRATION AGREEMENT.

1. A written agreement to submit to arbitration an existing controversy is valid, enforceable, and irrevocable unless grounds exist at law or in equity for the revocation of the written agreement.

2. A provision in a written contract to submit to arbitration a future controversy arising between the parties is valid, enforceable, and irrevocable unless grounds exist at law or in equity for the revocation of the contract. This subsection shall not apply to any of the following:

- a. A contract of adhesion.
- b. A contract between employers and employees.
- c. Unless otherwise provided in a separate writing executed by all parties to the contract, any claim sounding in tort whether or not involving a breach of contract.

Sec. 2. NEW SECTION. PROCEEDINGS TO COMPEL OR STAY ARBITRATION.

1. On application of a party showing an agreement described in section 1 of this Act and the opposing party's refusal to arbitrate, the district court shall order the parties to proceed with arbitration. However, if the opposing party denies the existence of a valid and enforceable agreement to arbitrate, the district court shall proceed to the determination of the issue and shall order arbitration if a valid and enforceable agreement is found to exist. If no such agreement exists, the court shall deny the application.