

### **597.15 Custody of children.**

If one spouse abandons the other spouse, the abandoned spouse is entitled to the custody of the minor children, unless the district court, upon application for that purpose, otherwise directs, or unless a custody decree is entered in accordance with chapter 598B. In this section "*abandon*" does not include:

1. The departure of a spouse due to physical or emotional abuse.
2. The departure of a spouse accompanied by the minor children.

[C51, § 1462; R60, § 2514; C73, § 2215; C97, § 3166; C24, 27, 31, 35, 39, § **10460**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 597.15]

85 Acts, ch 18, §1; 99 Acts, ch 103, §43