

252C.4 Certification to court — hearing — default.

1. A responsible person or child support services may request a hearing regarding a determination of support. If a timely written request for a hearing is received, the department shall certify the matter to the district court as follows:

a. If the child or children reside in Iowa, and child support services is seeking an accruing obligation, in the county in which the dependent child or children reside.

b. If the child or children received public assistance in Iowa, and child support services is seeking only an accrued obligation, in the county in which the dependent child or children last received public assistance.

c. If the action is the result of a request from another state or foreign country to establish support by a responsible person located in Iowa, in the county in which the responsible person resides.

2. The certification shall include true copies of the notice and finding of financial responsibility or notice of the support debt accrued and accruing, the return of service, the written objections and request for hearing, and true copies of any administrative orders previously entered.

3. The court shall set the matter for hearing and notify the parties of the time and place of hearing.

4. The court shall establish the monthly child support payment and the amount of the support debt accrued and accruing pursuant to [section 598.21B](#), or medical support pursuant to [chapter 252E](#), or both.

5. If a party fails to appear at the hearing, upon a showing of proper notice to that party, the court shall find that party in default and enter an appropriate order.

6. Actions initiated by the department under [this chapter](#) are not subject to [chapter 17A](#) and resulting court hearings following certification shall be an original hearing before the district court.

7. If a responsible person contests an action initiated under [this chapter](#) by denying paternity, the following shall apply, as necessary:

a. (1) If paternity has been legally established by one of the methods enumerated in [section 252A.3, subsection 10](#), or by operation of law due to the established father's marriage to the mother at the time of conception, birth, or at any time during the period between conception and birth of the child, the provisions of [section 600B.41A](#) are applicable.

(2) If the court determines that the prior determination of paternity should not be overcome pursuant to [section 600B.41A](#), and that the responsible person has a duty to provide support, the court shall enter an order establishing the monthly child support payment and the amount of the support debt accrued and accruing pursuant to [section 598.21B](#), or medical support pursuant to [chapter 252E](#), or both.

b. Notwithstanding paragraph "a", subparagraph (1), if the prior determination of paternity is based on an administrative or court order or other means, pursuant to the laws of another state or foreign country, an action to overcome the prior determination of paternity shall be filed in that jurisdiction. Unless the responsible person requests and is granted a stay of an action initiated under [this chapter](#) to establish child or medical support, the action shall proceed as otherwise provided by [this chapter](#).

84 Acts, ch 1278, §4; 89 Acts, ch 166, §5; 89 Acts, ch 179, §1; 90 Acts, ch 1224, §22; 92 Acts, ch 1195, §204; 93 Acts, ch 78, §9; 94 Acts, ch 1171, §21, 22; 95 Acts, ch 67, §19; 2005 Acts, ch 69, §15, 16; 2015 Acts, ch 110, §90, 91; 2023 Acts, ch 19, §875; 2023 Acts, ch 123, §6, 7

Referred to in [§252C.5, 598.21B](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Section amended