

Judiciary 3/6, Pass per 3856

Senate File 273  
Judiciary  
Carr, Chairman  
Doderer  
Kelly

FILED MAR 5 1975

SENATE FILE 273

By DODERER, DeKOSTER, SCHWENGELS  
and KELLY

Senate File 273  
Judiciary and Law  
Enforcement  
Higgins, Chair  
Oakley  
Bittle

Passed Senate, Date 6-9-75 (1834) Passed House, Date 5-17-76 (p. 2821)

Vote: Ayes 45 Nays 1 Vote: Ayes 82 Nays 0

Approved 5-28-76

Motion to reconsider filed 6-10 (1850) w.d. 6-11 (1918)

## A BILL FOR

1 An Act relating to the issuance of a summons and notice by the  
2 juvenile court.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S-3996

- 1 Amend Senate File 273 as follows:
- 2 1. Page 1, line 17 by inserting after the word
- 3 "hearing" the words "and all subsequent hearings".
- 4 2. Page 1, line 17 by striking the word "and".
- 5 3. Page 1, line 18 by inserting after the word "child"
- 6 the words "and the child".

S-3996 FILED - *Adopted 6/9 (1833)* BY  
JUNE 2, 1975

E. KEVIN KELLY  
MINNETTE DODERER  
LUCAS DE KOSTER

S-3856

- 1 Amend Senate File 273, by amending the title,
- 2 line 1, by inserting after the word "issuance"
- 3 the words "and service".

S-3856 FILED - *Adopted 6/9 (1834)* BY  
MAY 20, 1975

GENE W. GLENN, CHAIRMAN  
JUDICIARY COMMITTEE

1 Section 1. Section two hundred thirty-two point four  
2 (232.4), Code 1975, is amended to read as follows:

3 232.4 HEARING--APPEARANCE--SUMMONS. After a petition  
4 has been filed and unless the parties named in section 232.5  
5 voluntarily appear, the court shall set a time for hearing  
6 and shall issue a summons requiring the person who has custody  
7 or control of the child to appear with the child before the  
8 court at a time and place stated. The summons shall recite  
9 briefly the substance of the petition or shall have attached  
10 a copy of the petition and shall give notification of the  
11 right to counsel provided for in section 232.28 and of the  
12 right to request the court to appoint counsel.

13 Sec. 2. Section two hundred thirty-two point five (232.5),  
14 Code 1975, is amended to read as follows:

15 232.5 SERVICE OF NOTICE. The court shall have notice  
16 of the pendency of the case and of the time and place of the  
17 hearing served upon the acknowledged parents, and upon the  
18 guardian, or legal custodian of a ~~legitimate~~ child ~~or upon~~  
19 ~~the-mother,-guardian,-or-legal-custodian-of-an-illegitimate~~  
20 ~~child~~ if they are not summoned to appear as provided in section  
21 232.4. The notice shall recite briefly the substance of the  
22 petition or shall have attached a copy of the petition and  
23 shall give notification of the right to counsel provided for  
24 in section 232.28 and of the right to request the court to  
25 appoint counsel.

26 EXPLANATION

27 This bill provides that the parents, guardian, and legal  
28 custodian of a juvenile shall be notified of their right to  
29 counsel in the summons and notice. This bill also provides  
30 that distinction between serving notice upon the parents of  
31 a legitimate child and an illegitimate child be deleted and  
32 that the term acknowledged be inserted before the word parent.

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SENATE FILE 273

232.28 and of the right to request the court to appoint  
counsel.

AN ACT

RELATING TO THE ISSUANCE AND SERVICE OF A SUMMONS AND NO-  
TICE BY THE JUVENILE COURT.

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

Section 1. Section two hundred thirty-two point four  
(232.4), Code 1975, is amended to read as follows:

I hereby certify that this bill originated in the Senate and  
is known as Senate File 273, Sixty-sixth General Assembly.

232.4 HEARING--APPEARANCE--SUMMONS. After a petition  
has been filed and unless the parties named in section 232.5  
voluntarily appear, the court shall set a time for hearing  
and shall issue a summons requiring the person who has custody  
or control of the child to appear with the child before the  
court at a time and place stated. The summons shall recite  
briefly the substance of the petition or shall have attached  
a copy of the petition and shall give notification of the  
right to counsel provided for in section 232.28 and of the  
right to request the court to appoint counsel.

\_\_\_\_\_  
STEVEN C. CROSS  
Secretary of the Senate

Approved May 28, 1976

Sec. 2. Section two hundred thirty-two point five (232.5),  
Code 1975, is amended to read as follows:

232.5 SERVICE OF NOTICE. The court shall have notice  
of the pendency of the case and of the time and place of the  
hearing and all subsequent hearings served upon the  
acknowledged parents, upon the guardian, or legal custodian  
of a legitimate child and the child or upon the mother,  
guardian, or legal custodian of an illegitimate child if they  
are not summoned to appear as provided in section 232.4.  
The notice shall recite briefly the substance of the petition  
or shall have attached a copy of the petition and shall give  
notification of the right to counsel provided for in section

\_\_\_\_\_  
ROBERT D. RAY  
Governor