

FEB 8 1996

JUDICIARY

HOUSE FILE

2180

BY KREIMAN

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act requiring participation of the parties to a dissolution of
2 marriage in mediation prior to the hearing on the petition and
3 prior to the granting of a dissolution decree.

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

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HF 2180

1 Section 1. Section 598.7A, Code Supplement 1995, is
2 amended to read as follows:

3 598.7A DISSOLUTION OF MARRIAGE -- MEDIATION.

4 In addition to the custody mediation provided pursuant to
5 section 598.41, unless the court determines that a history of
6 domestic abuse exists as specified in section 598.41,
7 subsection 3, paragraph "j", or unless the court determines
8 that direct physical harm or significant emotional harm to the
9 child, other children, or a parent is likely to result, ~~on the~~
10 ~~application of either party, or on the court's own motion,~~ the
11 court ~~may~~ shall require the parties to participate in
12 mediation to attempt to resolve differences between the
13 parties relative to the granting of a marriage dissolution
14 ~~decree, if the court determines that mediation may effectuate~~
15 ~~a resolution of the differences without court intervention.~~

16 The costs of mediation shall be paid in full or in part by
17 the parties, as determined by the court and taxed as court
18 costs.

19 EXPLANATION

20 This bill requires the parties to a dissolution of marriage
21 to participate in mediation prior to the hearing on the
22 petition and prior to granting of a marriage dissolution
23 decree, except under special circumstances, such as a
24 determination of a history of domestic abuse or a finding of
25 likely direct physical harm or significant emotional harm to a
26 child or a parent. Current law provides for such mediation
27 only if the court determines that the mediation might
28 effectuate a resolution of the differences between the parties
29 without court intervention.

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