

MAR 12 1997

JUDICIARY

HOUSE FILE 591
BY DODERER

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to dissolution actions involving domestic abuse
2 assault and providing for a jury trial on the issue of damages
3 as part of the dissolution proceeding.

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

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HF 591

1 Section 1. Section 598.6, Code 1997, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. In addition to setting forth the
4 information required by section 598.5 in a petition for
5 dissolution of marriage, a party may set forth any application
6 for damages for alleged domestic abuse as defined in section
7 236.2 committed by the other party. If a party currently is a
8 party to a domestic abuse action under chapter 236, or is
9 seeking relief for the alleged domestic abuse in another civil
10 action, the party shall state that fact in the application for
11 relief and the actions may be joined in the manner provided in
12 the rules of civil procedure.

13 Sec. 2. NEW SECTION. 598.16A DOMESTIC ABUSE -- DAMAGES
14 -- JURY TRIAL.

15 If the petition for dissolution sets forth or is joined
16 with an application for damages for alleged domestic abuse
17 committed by a party to the dissolution, a trial on the issue
18 of damages shall be conducted as part of the dissolution
19 action. The damages trial shall be conducted in the same
20 manner as other civil trials under the rules of civil
21 procedure.

22 EXPLANATION

23 This bill provides that a party to a dissolution may
24 maintain, as part of the dissolution proceeding, an action for
25 damages for alleged domestic abuse. If the party is a party
26 to an action for domestic abuse under Code chapter 236 or a
27 civil action for damages for domestic abuse, the actions may
28 be joined with the dissolution proceeding. If an application
29 for damages is included or joined with the dissolution
30 proceeding, a trial on the issue of damages shall be conducted
31 in accordance with the rules of civil procedure.

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