

Millage, Chair
Jager
Taylor

HSB 598

JUDICIARY

By

HF 23

SENATE/HOUSE FILE _____

BY (PROPOSED JUDICIAL BRANCH BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the concurrent jurisdiction of the juvenile
2 court and the district court relating to modification of child
3 custody and support orders.

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

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1 Section 1. NEW SECTION. 232.3A CONCURRENT JURISDICTION
2 REGARDING CUSTODY OR SUPPORT.

3 If the juvenile court issues an order removing any child
4 from the custody of a parent previously granted custody by the
5 district court pursuant to chapter 598, the juvenile court
6 shall forward a certified copy of the juvenile court order to
7 the district court and shall provide or shall cause the
8 parents to provide the district court with information
9 concerning the income of both parents. Upon receipt of the
10 juvenile court order and the information regarding income of
11 the parents, the district court, pursuant to section 598.21,
12 subsection 8B, may modify any existing custody or support
13 order to reflect the juvenile court order.

14 Sec. 2. Section 598.21, Code Supplement 1999, is amended
15 by adding the following new subsection:

16 NEW SUBSECTION. 8B. If the juvenile court exercises
17 jurisdiction under chapter 232 over any party to or any child
18 affected by a custody or support order previously issued or
19 modified by the district court under this chapter, and if the
20 juvenile court issues an order removing a child from the
21 custody of a parent previously granted custody under this
22 chapter, the district court may modify any existing support or
23 custody orders to reflect the order of the juvenile court upon
24 receipt of both a certified copy of the juvenile court order
25 and information from the juvenile court or the parent
26 regarding the income of both parents.

27 EXPLANATION

28 This bill establishes concurrent jurisdiction between the
29 juvenile court and the district court for the purposes of the
30 district court modifying an existing custody or support order
31 when the juvenile court issues an order removing a child from
32 the custody of a parent previously granted custody under Code
33 chapter 598 (dissolution of marriage and domestic relations).
34 The bill provides that if the juvenile court issues such an
35 order, the district court, upon receipt of a certified copy of

1 the juvenile court order and of information concerning the
2 income of both parents, may modify an existing custody or
3 support order to reflect the action and order of the juvenile
4 court.

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SB
.598

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM: IOWA JUDICIAL BRANCH
DATE: January 23, 2000
RE: TLSB 5347DP

The Judicial Branch on behalf of the Supreme Court Select Committee offers this bill to Review State Court Practices in Juvenile Welfare Matters. Established in 1975, this committee is charged with assessing court performance in abuse, neglect and foster care litigation; developing a plan to improve the administration of justice in foster care cases; and implementing a plan for improvement.

As part of its review, the committee has discovered that conflicting jurisdictional issues, including child custody and support impact the safety and well being of children involved in the court system. The committee has proposed protocols and procedures for establishing concurrent jurisdiction between the juvenile and district court in the areas of child custody and support. This legislation will permit modification of district court custody or support orders through a judicial notice procedure giving full faith and credit to juvenile court orders of disposition, permanency, and termination.

If you have questions, please contact David Boyd at 281-5241.

S. 3/16/00 *Do Pass*

FEB 23 2000 **REPRINTED**

Place On Calendar

HOUSE FILE **2388**
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 598)

Passed House, ^(P.782) Date 3-15-00 Passed Senate, ^(P.891) Date 3/28/00
Vote: Ayes 94 Nays 0 Vote: Ayes 50 Nays 0
Approved 4-13-00

A BILL FOR

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HF 2388

1 Section 1. NEW SECTION. 232.3A CONCURRENT JURISDICTION
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17 jurisdiction under chapter 232 over any party to or any child
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19 modified by the district court under this chapter, and if the
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21 custody of a parent previously granted custody under this
22 chapter, the district court may modify any existing support or
23 custody orders to reflect the order of the juvenile court upon
24 receipt of both a certified copy of the juvenile court order
25 and information from the juvenile court or the parent
26 regarding the income of both parents.

27

EXPLANATION

28 This bill establishes concurrent jurisdiction between the
29 juvenile court and the district court for the purposes of the
30 district court modifying an existing custody or support order
31 when the juvenile court issues an order removing a child from
32 the custody of a parent previously granted custody under Code
33 chapter 598 (dissolution of marriage and domestic relations).
34 The bill provides that if the juvenile court issues such an
35 order, the district court, upon receipt of a certified copy of

1 the juvenile court order and of information concerning the
2 income of both parents, may modify an existing custody or
3 support order to reflect the action and order of the juvenile
4 court.

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HOUSE FILE 2388

H-8120

1 Amend House File 2388 as follows:

2 1. Page 1, by inserting after line 13 the
3 following:

4 "Sec. _____. NEW SECTION. 232.6 JURISDICTION --
5 ADOPTIONS AND TERMINATIONS OF PARENTAL RIGHTS.

6 The court may exercise jurisdiction over adoption
7 and termination of parental rights proceedings under
8 chapters 600 and 600A."

9 2. Page 1, by inserting after line 26 the
10 following:

11 "Sec. _____. Section 600.1, Code 1999, is amended to
12 read as follows:

13 600.1 CONSTRUCTION.

14 This chapter shall be construed liberally. The
15 best interest of the person to be adopted shall be the
16 paramount consideration in interpreting this chapter.
17 However, the interests of the adopting parents shall
18 be given due consideration in this interpretation.
19 However, in determining the best interest of the
20 person to be adopted and the interests of the adopting
21 parents, any evidence of interests relating to a
22 period of time during which the person to be adopted
23 is placed with prospective adoptive parents and during
24 which the placement is not in compliance with the law,
25 adoption procedures, or any action by the juvenile
26 court or court, shall not be considered in the
27 determination.

28 Sec. _____. Section 600.3, Code 1999, is amended to
29 read as follows:

30 600.3 COMMENCEMENT OF ADOPTION ACTION --
31 JURISDICTION -- FORUM NON CONVENIENS.

32 1. An action for the adoption of any natural
33 person shall be commenced by the filing of an adoption
34 petition, as prescribed in section 600.5, in the
35 juvenile court or court of the county in which an
36 adult person to be adopted is domiciled or resides, or
37 in the juvenile court or court of the county in which
38 the guardian of a minor person to be adopted or the
39 petitioner is domiciled or resides.

40 2. An adoption petition shall not be filed until a
41 termination of parental rights has been accomplished
42 except in the following cases:

43 a. No termination of parental rights is required
44 if the person to be adopted is an adult.

45 b. If the stepparent of the child to be adopted is
46 the adoption petitioner, the parent-child relationship
47 between the child and the parent who is not the spouse
48 of the petitioner may be terminated as part of the
49 adoption proceeding by the filing of that parent's
50 consent to the adoption.

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1 For the purposes of this subsection, a consent to
2 adopt recognized by the juvenile courts or courts of
3 another jurisdiction in the United States and obtained
4 from a resident of that jurisdiction shall be accepted
5 in this state in lieu of a termination of parental
6 rights proceeding.

7 Any adoption proceeding pending on or completed
8 prior to July 1, 1978, is hereby legalized and
9 validated to the extent that it is consistent with
10 this subsection.

11 3. If upon filing of the adoption petition or at
12 any later time in the adoption action the juvenile
13 court or court finds that in the interest of
14 substantial justice the adoption action should be
15 conducted in another juvenile court or court, it may
16 transfer, stay, or dismiss the adoption action on any
17 conditions that are just.

18 Sec. _____. Section 600.4, subsection 3, paragraph
19 c, Code 1999, is amended to read as follows:

20 c. Is unable to petition with the other spouse
21 because of the prolonged and unexplained absence,
22 unavailability, or incapacity of the other spouse, or
23 because of an unreasonable withholding of joinder by
24 the other spouse, as determined by the juvenile court
25 or court under section 600.5, subsection 7.

26 Sec. _____. Section 600.5, unnumbered paragraph 1,
27 Code 1999, is amended to read as follows:

28 An adoption petition shall be signed and verified
29 by the petitioner, shall be filed with the juvenile
30 court or court designated in section 600.3, and shall
31 state:

32 Sec. _____. Section 600.5, subsection 7, Code 1999,
33 is amended to read as follows:

34 7. A designation of the particular provision in
35 section 600.4 under which the petitioner is qualified
36 to adopt and, if under section 600.4, subsection 3,
37 paragraph "c", a request that the juvenile court or
38 court approve the petitioner's qualification to adopt.

39 Sec. _____. Section 600.7, subsection 1, unnumbered
40 paragraph 1, Code 1999, is amended to read as follows:

41 An adoption petition shall not be granted unless
42 the following persons consent to the adoption or
43 unless the juvenile court or court makes a
44 determination under subsection 4:

45 Sec. _____. Section 600.7, subsection 2, paragraphs
46 a and b, Code 1999, are amended to read as follows:

47 a. If by any minor person to be adopted who is
48 fourteen years of age or older, in the presence of the
49 juvenile court or court in which the adoption petition
50 is filed.

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1 b. If by any other person, either in the presence
2 of the juvenile court or court in which the adoption
3 petition is filed or before a notary public.

4 Sec. _____. Section 600.7, subsections 3 and 4, Code
5 1999, are amended to read as follows:

6 3. A consent to the adoption may be withdrawn
7 prior to the issuance of an adoption decree under
8 section 600.13 by the filing of an affidavit of
9 consent withdrawal with the juvenile court or court.
10 Such affidavit shall be treated in the same manner as
11 an attached verified statement is treated under
12 subsection 4.

13 4. If any person required to consent under this
14 section refuses to or cannot be located to give
15 consent, the petitioner may attach to the petition a
16 verified statement of such refusal or lack of
17 location. The juvenile court or court shall then
18 determine, at the adoption hearing prescribed in
19 section 600.12, whether, in the best interests of the
20 person to be adopted and the petitioner, any
21 particular consent shall be unnecessary to the
22 granting of an adoption petition.

23 Sec. _____. Section 600.8, subsection 2, paragraph
24 a, Code 1999, is amended to read as follows:

25 a. A preplacement investigation and report of the
26 investigation shall be completed and the prospective
27 adoption petitioner approved for a placement by the
28 person making the investigation prior to any agency or
29 independent placement of a minor person in the
30 petitioner's home in anticipation of an ensuing
31 adoption. A report of a preplacement investigation
32 that has approved a prospective adoption petitioner
33 for a placement shall not authorize placement of a
34 minor person with that petitioner after one year from
35 the date of the report's issuance. However, if the
36 prospective adoption petitioner is a relative within
37 the fourth degree of consanguinity who has assumed
38 custody of a minor person to be adopted, a
39 preplacement investigation of this petitioner and a
40 report of the investigation may be completed at a time
41 established by the juvenile court or court or may be
42 waived as provided in subsection 12.

43 Sec. _____. Section 600.8, subsections 4, 7, 8, 9,
44 and 12, Code Supplement 1999, are amended to read as
45 follows:

46 4. A postplacement investigation and the report of
47 the investigation shall be completed and filed with
48 the court prior to the holding of the adoption hearing
49 prescribed in section 600.12. Upon the filing of an
50 adoption petition pursuant to section 600.5, the

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1 juvenile court or court shall immediately appoint the
2 department, an agency, or an investigator to conduct
3 and complete the postplacement report. Any person,
4 including a juvenile court, who has gained relevant
5 background information concerning a minor person
6 subject to an adoption petition shall, upon request,
7 fully cooperate with the conducting of the
8 postplacement investigation by disclosing any relevant
9 information requested, whether contained in sealed
10 records or not.

11 7. Any investigation or report required under this
12 section shall not apply when the person to be adopted
13 is an adult or when the prospective adoption
14 petitioner or adoption petitioner is a stepparent of
15 the person to be adopted. However, in the case of a
16 stepparent adoption, the juvenile court or court, upon
17 the request of an interested person or on its own
18 motion stating the reasons therefor of record, may
19 order an investigation or report pursuant to this
20 section.

21 8. Any person designated to make an investigation
22 and report under this section may request an agency or
23 state agency, within or outside this state, to conduct
24 a portion of the investigation or the report, as may
25 be appropriate, and to file a supplemental report of
26 such investigation or report with the juvenile court
27 or court. In the case of the adoption of a minor
28 person by a person domiciled or residing in any other
29 jurisdiction of the United States, any investigation
30 or report required under this section which has been
31 conducted pursuant to the standards of that other
32 jurisdiction shall be recognized in this state.

33 9. The department may investigate, on its own
34 initiative or on order of the juvenile court or court,
35 any placement made or adoption petition filed under
36 this chapter or chapter 600A and may report its
37 resulting recommendation to the juvenile court or
38 court.

39 12. Any investigation and report required under
40 subsection 1 of this section may be waived by the
41 juvenile court or court if the adoption petitioner is
42 related within the fourth degree of consanguinity to
43 the person to be adopted.

44 Sec. _____. Section 600.9, subsection 2, unnumbered
45 paragraph 1, Code Supplement 1999, is amended to read
46 as follows:

47 An adoption petitioner of a minor person shall file
48 with the juvenile court or court, prior to the
49 adoption hearing, a full accounting of all
50 disbursements of any thing of value paid or agreed to

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1 be paid by or on behalf of the petitioner in
2 connection with the petitioned adoption. This
3 accounting shall be made by a report prescribed by the
4 juvenile court or court and shall be signed and
5 verified by the petitioner. Only expenses incurred in
6 connection with the following and any other expenses
7 approved by the juvenile court or court are allowable:
8 Sec. _____. Section 600.10, Code Supplement 1999, is
9 amended to read as follows:

10 600.10 MINIMUM RESIDENCE OF A MINOR CHILD.

11 The adoption of a minor person shall not be decreed
12 until that person has lived with the adoption
13 petitioner for a minimum residence period of one
14 hundred eighty days. However, the juvenile court or
15 court may waive this period if the adoption petitioner
16 is a stepparent or related to the minor person within
17 the fourth degree of consanguinity or may shorten this
18 period upon good cause shown when the juvenile court
19 or court is satisfied that the adoption petitioner and
20 the person to be adopted are suited to each other.

21 Sec. _____. Section 600.11, subsections 1 and 3,
22 Code 1999, are amended to read as follows:

23 1. The juvenile court or court shall set the time
24 and place of the adoption hearing prescribed in
25 section 600.12 upon application of the petitioner.
26 The juvenile court or court may continue the adoption
27 hearing if the notice prescribed in subsections 2 and
28 3 is given, except that such notice shall only be
29 given at least ten days prior to the date which has
30 been set for the continuation of the adoption hearing.

31 3. A notice of the adoption hearing shall state
32 the time, place, and purpose of the hearing and shall
33 be served in accordance with rule of civil procedure
34 56.1. Proof of the giving of notice shall be filed
35 with the juvenile court or court prior to the adoption
36 hearing. Acceptance of service by the party being
37 given notice shall satisfy the requirements of this
38 subsection.

39 Sec. _____. Section 600.12, subsections 2 and 3,
40 Code 1999, are amended to read as follows:

41 2. Only those persons notified under section
42 600.11 and their witnesses and legal counsel or
43 persons requested by the juvenile court or court to be
44 present shall be admitted to the court chambers while
45 an adoption hearing is being conducted. The adoption
46 petitioner and the person to be adopted shall be
47 present at the hearing, unless the presence of either
48 is excused by the juvenile court or court.

49 3. Any person admitted to the hearing shall be
50 heard and allowed to present evidence upon request and

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1 according to the manner in which the juvenile court or
2 court conducts the hearing.

3 Sec. _____. Section 600.12A, subsections 1 and 2,
4 Code 1999, are amended to read as follows:

5 1. If the person to be adopted dies following the
6 filing of an adoption petition pursuant to section
7 600.3, but prior to issuance of a final adoption
8 decree pursuant to section 600.13, the juvenile court
9 or court may waive any investigations and reports
10 required pursuant to section 600.8 that remain
11 uncompleted, waive the minimum residence requirements
12 pursuant to section 600.10, proceed to the adoption
13 hearing, and issue a final adoption decree, unless any
14 person to whom notice is to be provided pursuant to
15 section 600.11 objects to the adoption.

16 2. If the person to be adopted dies following
17 termination of the parental rights of the person's
18 biological parents but prior to the filing of an
19 adoption petition, the person who was the guardian or
20 custodian of the person to be adopted prior to the
21 person's death or the person who was in a parent-child
22 relationship with the person to be adopted prior to
23 the person's death may file an adoption petition and
24 the juvenile court or court in the interest of justice
25 may waive any other procedures or requirements related
26 to the adoption, proceed to the adoption hearing, and
27 issue a final adoption decree, unless any person to
28 whom notice is to be provided pursuant to section
29 600.11 objects to the adoption.

30 Sec. _____. Section 600.13, subsections 1, 2, 3, and
31 5, Code Supplement 1999, are amended to read as
32 follows:

33 1. At the conclusion of the adoption hearing, the
34 juvenile court or court shall do one of the following:

- 35 a. Issue a final adoption decree.
36 b. Issue an interlocutory adoption decree.
37 c. Dismiss the adoption petition if the

38 requirements of this Act have not been met or if
39 dismissal of the adoption petition is in the best
40 interest of the person whose adoption has been
41 petitioned. Upon dismissal, the juvenile court or
42 court shall determine who is to be guardian or
43 custodian of a minor child, including the adoption
44 petitioner if it is in the best interest of the minor
45 person whose adoption has been petitioned.

46 2. An interlocutory adoption decree automatically
47 becomes a final adoption decree at a date specified by
48 the juvenile court or court in the interlocutory
49 adoption decree, which date shall not be less than one
50 hundred eighty days nor more than three hundred sixty

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1 days from the date the interlocutory decree is issued.
2 However, an interlocutory adoption decree may be
3 vacated prior to the date specified for it to become
4 final. Also, the juvenile court or court may provide
5 in the interlocutory adoption decree for further
6 observation, investigation, and report of the
7 conditions of and the relationships between the
8 adoption petitioner and the person petitioned to be
9 adopted.

10 3. If an interlocutory adoption decree is vacated
11 under subsection 2, it shall be void from the date of
12 issuance and the rights, duties, and liabilities of
13 all persons affected by it shall, unless they have
14 become vested, be governed accordingly. Upon vacation
15 of an interlocutory adoption decree, the juvenile
16 court or court shall proceed under the provisions of
17 subsection 1, paragraph "c".

18 5. An interlocutory or a final adoption decree
19 shall be entered with the clerk of the court. Such
20 decree shall set forth any facts of the adoption
21 petition which have been proven to the satisfaction of
22 the juvenile court or court and any other facts
23 considered to be relevant by the juvenile court or
24 court and shall grant the adoption petition. If so
25 designated in the adoption decree, the name of the
26 adopted person shall be changed by issuance of that
27 decree. The clerk of the court shall, within thirty
28 days of issuance, deliver one certified copy of any
29 adoption decree to the petitioner, one copy of any
30 adoption decree to the department and any agency or
31 person making an independent placement who placed a
32 minor person for adoption, and one certification of
33 adoption as prescribed in section 144.19 to the state
34 registrar of vital statistics. Upon receipt of the
35 certification, the state registrar shall prepare a new
36 birth certificate pursuant to section 144.23 and
37 deliver to the parents named in the decree and any
38 adult person adopted by the decree a copy of the new
39 birth certificate. The parents shall pay the fee
40 prescribed in section 144.46. If the person adopted
41 was born outside the state, the state registrar shall
42 forward the certification of adoption to the
43 appropriate agency in the state or foreign nation of
44 birth. A copy of any interlocutory adoption decree
45 vacation shall be delivered and another birth
46 certificate shall be prepared in the same manner as a
47 certification of adoption is delivered and the birth
48 certificate was originally prepared.

49 Sec. _____. Section 600.15, subsection 1, paragraphs
50 a and b, Code Supplement 1999, are amended to read as

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1 follows:

2 a. A decree establishing a parent-child
3 relationship by adoption which is issued pursuant to
4 due process of law by a juvenile court or court of any
5 other jurisdiction in the United States shall be
6 recognized in this state.

7 b. A decree terminating a parent-child
8 relationship which is issued pursuant to due process
9 of law by a juvenile court or court of any other
10 jurisdiction in the United States shall be recognized
11 in this state.

12 Sec. ____ . Section 600.16A, subsection 2,
13 paragraphs b and c, Code 1999, are amended to read as
14 follows:

15 b. The juvenile court or court, for good cause,
16 shall order the opening of the permanent adoption
17 record of the juvenile court or court for the adopted
18 person who is an adult and reveal the names of either
19 or both of the biological parents following
20 consideration of both of the following:

21 (1) A biological parent may file an affidavit
22 requesting that the juvenile court or court reveal or
23 not reveal the parent's identity. The juvenile court
24 or court shall consider any such affidavit in
25 determining whether there is good cause to order
26 opening of the records. To facilitate the biological
27 parents in filing an affidavit, the department shall,
28 upon request of a biological parent, provide the
29 biological parent with an adoption information packet
30 containing an affidavit for completion and filing with
31 the juvenile court or court.

32 (2) If the adopted person who applies for
33 revelation of the biological parents' identity has a
34 sibling who is a minor and who has been adopted by the
35 same parents, the juvenile court or court may deny the
36 application on the grounds that revelation to the
37 applicant may also indirectly and harmfully permit the
38 same revelation to the applicant's minor sibling.

39 c. A biological sibling of an adopted person may
40 file or may request that the department file an
41 affidavit in the juvenile court or court in which the
42 adopted person's adoption records have been sealed
43 requesting that the juvenile court or court reveal or
44 not reveal the sibling's name to the adopted person.
45 The juvenile court or court shall consider any such
46 affidavit in determining whether there is good cause
47 to order opening of the records upon application for
48 revelation by the adopted person. However, the name
49 of the biological sibling shall not be revealed until
50 the biological sibling has attained majority.

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1 Sec. ____ . Section 600.16A, subsection 3, paragraph
2 b, unnumbered paragraph 3, Code 1999, is amended to
3 read as follows:

4 Notwithstanding the provisions of this subsection,
5 if the adult adopted person has a sibling who is a
6 minor and who has also been adopted by the same
7 parents, the department, the clerk of court, or the
8 agency which made the placement may deny the request
9 of either the adult adopted person or the biological
10 parent to open the adoption records and to reveal the
11 identities of the parties pending determination by the
12 juvenile court or court that there is good cause to
13 open the records pursuant to subsection 2.

14 Sec. ____ . Section 600.16A, subsection 4, Code
15 1999, is amended to read as follows:

16 4. An adopted person whose adoption became final
17 prior to July 4, 1941, and whose adoption record was
18 not required to be sealed at the time when the
19 adoption record was completed, shall not be required
20 to show good cause for an order opening the adoption
21 record under this subsection, provided that the
22 juvenile court or court shall consider any affidavit
23 filed under this subsection.

24 Sec. ____ . Section 600.18, unnumbered paragraph 1,
25 Code 1999, is amended to read as follows:

26 Any prospective adoptive parent desiring financial
27 assistance shall state this fact in the petition for
28 adoption. The department of human services shall
29 investigate the person petitioning for adoption and
30 the child and shall file with the juvenile court or
31 court a statement of whether the department will
32 provide assistance as provided in sections 600.17 to
33 600.22, the estimated amount, extent, and duration of
34 assistance, and any other information the juvenile
35 court or court may order.

36 Sec. ____ . Section 602.8102, subsections 42 and 43,
37 Code Supplement 1999, are amended to read as follows:

38 42. Serve as clerk of the juvenile court and carry
39 out duties as provided in chapter 232 and article 7 of
40 this chapter.

41 43. Submit to the director of the division of
42 child and family services of the department of human
43 services a duplicate of the findings of the district
44 court related to adoptions as provided in section
45 235.3, subsection 7."

46 3. Title page, line 1, by striking the word
47 "concurrent".

48 4. Title page, line 3, by inserting after the
49 word "orders" the following: "and relating to
50 adoption and termination of parental rights

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1 proceedings".

By SHOULTZ of Black Hawk

H-8120 FILED MARCH 1, 2000

W/D 3-15-00 (P.781)

HOUSE FILE 2388

H-8141

1 Amend House File 2388 as follows:

2 1. Page 1, by striking lines 1 through 26, and
3 inserting the following:

4 "Section 1. CONCURRENT JURISDICTION -- CUSTODY OR
5 SUPPORT -- PILOT PROJECT.

6 1. The judicial branch shall implement a pilot
7 project in at least one judicial district to provide
8 for concurrent jurisdiction between the juvenile court
9 and the district court for the purpose of the district
10 court modifying an existing custody or support order
11 when the juvenile court issues an order removing a
12 child from the custody of a parent previously granted
13 custody pursuant to chapter 598.

14 2. The judicial branch shall submit a report to
15 the general assembly on or before December 1, 2000,
16 regarding the progress of the pilot project and
17 recommendations regarding the continuation or
18 expansion of the project."

19 2. Title page, line 1, by inserting after the
20 word "to" the following: "the implementation of a
21 pilot project pertaining to".

By MILLAGE of Scott

H-8141 FILED MARCH 1, 2000

W/D 3/2/00 (P.781)

HOUSE FILE 2388

H-8205

1 Amend House File 2388 as follows:

2 1. Page 1, by striking lines 1 through 26, and
3 inserting the following:

4 "Section 1. CONCURRENT JURISDICTION -- CUSTODY OR
5 SUPPORT -- PILOT PROJECT.

6 1. The judicial branch shall implement a pilot
7 project in at least one judicial district to provide
8 for concurrent jurisdiction between the juvenile court
9 and the district court for the purpose of the district
10 court modifying an existing custody or support order
11 when the juvenile court issues an order removing a
12 child from the custody of a parent previously granted
13 custody or support pursuant to chapter 598.

14 2. The judicial branch shall submit a report to
15 the general assembly on or before December 1, 2000,
16 regarding the progress of the pilot project and
17 recommendations regarding the continuation or
18 expansion of the project."

19 2. Title page, line 1, by inserting after the
20 word "to" the following: "the implementation of a
21 pilot project pertaining to".

By MILLAGE of Scott

H-8205 FILED MARCH 7, 2000

Adopted
3-15-00 (P.782)

S-3/15/00 Judiciary
S-3/16/00 Do Pass
S-3/23/00 Unfinished
Business Calendar

HOUSE FILE **2388**
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 598)

(As Amended and Passed by the House, March 15, 2000)

Passed House, Date _____ Passed Senate, Date ^{P. 891} 3/28/00
Vote: Ayes _____ Nays _____ Vote: Ayes 50 Nays 0
Approved 4-13-00

A BILL FOR

1 An Act relating to the implementation of a pilot project
2 pertaining to the concurrent jurisdiction of the juvenile
3 court and the district court relating to modification of child
4 custody and support orders.

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

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ALL NEW LANGUAGE BY THE HOUSE

HF 2388

1 Section 1. CONCURRENT JURISDICTION -- CUSTODY OR SUPPORT -
2 - PILOT PROJECT.

3 1. The judicial branch shall implement a pilot project in
4 at least one judicial district to provide for concurrent
5 jurisdiction between the juvenile court and the district court
6 for the purpose of the district court modifying an existing
7 custody or support order when the juvenile court issues an
8 order removing a child from the custody of a parent previously
9 granted custody or support pursuant to chapter 598.

10 2. The judicial branch shall submit a report to the
11 general assembly on or before December 1, 2000, regarding the
12 progress of the pilot project and recommendations regarding
13 the continuation or expansion of the project.

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progress of the pilot project and recommendations regarding the continuation or expansion of the project.

HOUSE FILE 2388

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

AN ACT
RELATING TO THE IMPLEMENTATION OF A PILOT PROJECT PERTAINING
TO THE CONCURRENT JURISDICTION OF THE JUVENILE COURT AND
THE DISTRICT COURT RELATING TO MODIFICATION OF CHILD
CUSTODY AND SUPPORT ORDERS.

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

Section 1. CONCURRENT JURISDICTION -- CUSTODY OR SUPPORT
-- PILOT PROJECT.

1. The judicial branch shall implement a pilot project in at least one judicial district to provide for concurrent jurisdiction between the juvenile court and the district court for the purpose of the district court modifying an existing custody or support order when the juvenile court issues an order removing a child from the custody of a parent previously granted custody or support pursuant to chapter 598.

2. The judicial branch shall submit a report to the general assembly on or before December 1, 2000, regarding the

I hereby certify that this bill originated in the House and is known as House File 2388, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/13, 2000

THOMAS J. VILSACK
Governor