

JAN 16 2002  
JUDICIARY

HOUSE FILE 2048  
BY BODDICKER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the right to demand a jury trial in a divorce  
2 proceeding.

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

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HF 2048

1 Section 1. NEW SECTION. 598.7B RIGHT TO DEMAND JURY  
2 TRIAL.

3 In an action for dissolution of marriage, either party may  
4 demand a jury trial concerning any material facts not  
5 stipulated to by the parties. This section does not apply to  
6 an action to annul a marriage pursuant to section 598.29.

7 EXPLANATION

8 This bill allows either party in a dissolution of marriage  
9 action to demand a jury trial concerning any material facts  
10 not stipulated to by the parties. The bill does not apply to  
11 annulment actions pursuant to Code section 598.29.

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SEVENTY-NINTH GENERAL ASSEMBLY  
2001 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET  
Legislative Fiscal Bureau  
Fiscal Note

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HF 2048 - Jury Trial in Divorces (LSB 5030 HH)

Analyst: Jennifer Dean (Phone: (515) 281-4613) (Jennifer.Dean@legis.state.ia.us)

Fiscal Note Version - New

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**Description**

This Bill allows either party in a dissolution of marriage action to demand a jury trial concerning any material facts not stipulated to by the parties.

**Fiscal Impact**

The fiscal impact ranges from \$ 2.0 million to \$ 4.0 million annually.

A jury trial in a dissolution could take between two to four days at a cost for a jury of \$260 per day. This would be an additional cost to using a judge to hear the case. There were 3,810 dissolutions that went to trial in calendar year 2000.

**Assumptions**

1. Of the 21,337 dissolutions and modifications disposed of in the courts in calendar year 2000, 3,810 dissolutions went to trial.
2. Involving a jury in a trial would increase the amount of time for judges and court staff by at least one and one-half days (12 hours).
3. The average daily cost of a jury is \$260.
4. A jury trial of a dissolution could take from two to four days at a cost of \$260/day or \$520 to \$1,040 per case tried.

**Source**

Judicial Branch

\_\_\_\_\_/s/ Dennis C Prouty\_\_\_\_\_

January 28, 2002

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The fiscal note and correction impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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