

Senate Study Bill 3111 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON KREIMAN)

A BILL FOR

1 An Act relating to mediation in domestic relations actions.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.7, subsection 1, Code 2009, is
2 amended to read as follows:

3 1. The district court may, on its own motion or on the
4 motion of any party, order the parties to participate in
5 mediation in any dissolution of marriage action or other
6 domestic relations action and shall order the parties to
7 participate in mediation in any dissolution of marriage action
8 or other domestic relations action in which the welfare of
9 a minor child of the parties may be affected. Mediation
10 performed under this section shall comply with the provisions
11 of chapter 679C. The provisions of this section shall not
12 apply if the action involves a child support or medical support
13 obligation enforced by the child support recovery unit. The
14 provisions of this section shall not apply to actions which
15 involve domestic abuse pursuant to chapter 236. The provisions
16 of this section shall not affect a judicial district's or
17 court's authority to order settlement conferences pursuant to
18 rules of civil procedure. The court shall, on application
19 of a party, grant a waiver from any court-ordered mediation
20 under this section if the party demonstrates that a history
21 of domestic abuse exists as specified in section 598.41,
22 subsection 3, paragraph "j".

23

EXPLANATION

24 This bill directs the district court to order the parties in
25 any dissolution of marriage action or other domestic relations
26 action, in which the welfare of a minor child of the parties
27 may be affected, to participate in mediation. Current law
28 provides that the mediation shall comply with the provisions
29 of Code chapter 679C, the uniform mediation Act, and that the
30 ordered mediation does not apply if the action involves a child
31 support or medical support obligation enforced by the child
32 support recovery unit; the action involves domestic abuse; or
33 on application of a party, if the party demonstrates that a
34 history of domestic abuse exists.