

House Study Bill 522 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the appointment of a guardian ad litem in an
2 adoption proceeding.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 600.5, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 13. Whether or not a guardian ad litem
4 should be appointed for a minor child to be adopted, and if
5 not, the reasons therefor.

6 Sec. 2. NEW SECTION. 600.6A Court determination of
7 appointment of guardian ad litem prior to setting adoption
8 hearing.

9 Prior to ordering a hearing on the adoption petition, the
10 court shall make a determination of the need for a guardian ad
11 litem for a minor child to be adopted and shall, in writing,
12 either appoint or waive the appointment of a guardian ad litem
13 for purposes of the adoption proceeding in the order setting
14 the adoption hearing.

15

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the appointment of a guardian ad litem
19 (GAL) for a minor person in an adoption proceeding. Under the
20 bill, an adoption petition is to state whether a GAL should
21 be appointed for a minor child to be adopted, and if not, the
22 reasons why a GAL should not be appointed. The bill also
23 requires that, prior to ordering a hearing on the adoption
24 petition, the court shall make a determination of the need for
25 a GAL for a minor child to be adopted and shall, in writing,
26 either appoint or waive the appointment of a GAL for purposes
27 of the adoption proceeding in the order setting the adoption
28 hearing.