

Senate File 189 - Introduced

SENATE FILE 189

BY RAGAN

A BILL FOR

1 An Act relating to termination of parental rights proceedings
2 based upon safety or security concerns.

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

1 Section 1. Section 600A.5, Code 2017, is amended to read as
2 follows:

3 **600A.5 Petition for termination — venue — safety or**
4 **security concerns.**

5 1. The following persons may petition a juvenile court for
6 termination of parental rights under **this chapter** if the child
7 of the parent-child relationship is born or expected to be born
8 within one hundred eighty days of the date of petition filing:

9 a. A parent or prospective parent of the parent-child
10 relationship.

11 b. A custodian or guardian of the child.

12 2. A petition for termination of parental rights shall be
13 filed, and venue shall lie, with the juvenile court in the
14 county in which the guardian or custodian of the child resides
15 or the child, the biological mother, or the pregnant woman is
16 domiciled. If a juvenile court has made an order pertaining
17 to a minor child under **chapter 232, division III**, and that
18 order is still in force, the termination proceedings shall be
19 conducted pursuant to the provisions of chapter 232, division
20 IV.

21 3. A petition for termination of parental rights shall
22 include the following:

23 a. The legal name, age and domicile, if any, of the child.

24 b. The names, residences, and domicile of any:

25 (1) Living parents of the child.

26 (2) Guardian of the child.

27 (3) Custodian of the child.

28 (4) Guardian ad litem of the child.

29 (5) Petitioner.

30 (6) Person standing in the place of the parents of the
31 child.

32 c. A plain statement of the facts and grounds in section
33 600A.8 which indicate that the parent-child relationship should
34 be terminated.

35 d. A plain statement explaining why the petitioner does not

1 know any of the information required under paragraphs "a" and
2 "b" of this subsection.

3 e. The signature and verification of the petitioner.

4 4. If the petitioner alleges and affirms in the verified
5 petition that the petitioner has a legitimate concern for the
6 safety or security of the child or petitioner, all of the
7 following shall apply:

8 a. Notwithstanding subsection 2, the petitioner may file
9 the petition in a county other than those specified, and venue
10 shall be in the county in which the petition is filed.

11 b. The court shall keep confidential the residence and
12 domicile of the child and the petitioner disclosed in the
13 petition.

14 EXPLANATION

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

17 This bill relates to a petition for termination of parental
18 rights. Current law provides that a petition for termination
19 of parental rights shall be filed with the juvenile court in
20 the county in which the guardian or custodian of the child
21 resides or the child, the biological mother, or the pregnant
22 woman is domiciled. The bill specifies that venue shall also
23 lie in such locations.

24 The bill also provides that if a petitioner alleges and
25 affirms in the verified petition that the petitioner has a
26 legitimate concern for the safety or security of the child or
27 the petitioner, the following apply: The petitioner may file
28 the petition in a county other than those specified, and venue
29 shall be in the county where the petition is filed; and the
30 court shall keep confidential the residence and domicile of the
31 child and the petitioner disclosed in the petition.