

House File 2188 - Introduced

HOUSE FILE 2188

BY MCKEAN

A BILL FOR

1 An Act relating to the award of attorney fees in proceedings
2 for modifications of dissolution orders and decrees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.36, Code 2020, is amended to read as
2 follows:

3 **598.36 Attorney fees in proceeding to modify order or decree.**

4 In a proceeding for the modification of an order or decree
5 under **this chapter** the court may award attorney fees to the
6 prevailing party in an amount deemed reasonable by the court
7 if the prevailing party demonstrates that the opposing party
8 has acted in bad faith.

9 EXPLANATION

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

12 Current law allows a court to award attorney fees to the
13 prevailing party in a proceeding for the modification of an
14 order or decree for the dissolution of a marriage. This bill
15 provides that a court may only award attorney fees in such
16 actions if the prevailing party demonstrates that the opposing
17 party has acted in bad faith.