

**Senate Study Bill 1005 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON ZAUN)

**A BILL FOR**

1 An Act relating to grandparent and great-grandparent  
2 visitation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 600C.1, Code 2021, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 1A. If a party objects to the petition  
4 filed under this section, the court shall stay the proceedings  
5 and refer the parties to mediation. If an agreement is reached  
6 through mediation, the parties shall file the signed agreement  
7 with the court for approval, and the court shall dismiss the  
8 petition. If an agreement is not reached through mediation,  
9 the parties shall proceed to a hearing on the petition unless  
10 the petition is otherwise dismissed or withdrawn. The costs of  
11 mediation provided under this subsection shall be borne by the  
12 petitioner.

13 EXPLANATION

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

16 This bill relates to grandparent and great-grandparent  
17 visitation.

18 Under current law, a grandparent or great-grandparent  
19 may only petition the court for visitation of a minor child  
20 if the parent of the minor child, who is the child of the  
21 grandparent or the grandchild of the great-grandparent, is  
22 deceased. The court may only grant such visitation if the  
23 court finds by clear and convincing evidence that granting  
24 such visitation is in the best interest of the child, the  
25 presumption that the parent of the child is fit to make the  
26 decision regarding visitation is overcome, and the grandparent  
27 or great-grandparent has established a substantial relationship  
28 with the child prior to the filing of the petition.

29 Under the bill, if a party objects to the petition filed,  
30 the court shall stay the proceedings and refer the parties  
31 to mediation. If an agreement is reached through mediation,  
32 the parties are required to file the signed agreement with  
33 the court for approval and the court is required to dismiss  
34 the petition. If the parties do not reach an agreement  
35 through mediation, the parties shall proceed to a hearing on

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1 the petition unless the petition is otherwise dismissed or  
2 withdrawn.

3 The costs of mediation provided shall be borne by the  
4 petitioner.