

Senate File 294 - Introduced

SENATE FILE 294
BY EVANS

A BILL FOR

- 1 An Act relating to temporary orders of child custody in
- 2 dissolution proceedings.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 598.10, subsection 1, paragraph b, Code
2 2025, is amended to read as follows:

3 b. In order to encourage compliance with a visitation order,
4 a temporary order for custody shall provide for a minimum
5 visitation schedule with the noncustodial parent, unless the
6 court determines that such visitation is not in the best interest
7 of the child. In considering the temporary order, the court
8 shall order on a temporary basis during the pendency of the
9 original custody proceeding temporary joint physical care of the
10 child to both parties unless a rebuttable presumption exists
11 against awarding physical care to one of the parties. If the
12 court finds, by a preponderance of the evidence, that joint
13 physical care is inappropriate, the court shall cite the reasons
14 that joint physical care would be inappropriate using the factors
15 listed in section 598.41, subsection 3.

16 EXPLANATION

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

19 This bill relates to temporary orders of child custody
20 during dissolution proceedings. The bill provides that unless
21 a rebuttable presumption exists against awarding physical care
22 to one of the parties, the court shall award temporary joint
23 physical care of the child to both parties during the pendency of
24 the custody proceeding. If the court finds, by a preponderance
25 of the evidence, that joint physical care is inappropriate, the
26 court is required to cite the reasons for its decision.