

Senate File 523 - Introduced

SENATE FILE 523
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1124)

A BILL FOR

1 An Act relating to the establishment or modification of legal
2 custody of a child.

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

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1 Section 1. Section 598.41, subsection 2, Code 2025, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *f.* If the court finds by clear and convincing
4 evidence that it is in the best interest of the child, the court
5 may award separate rights and responsibilities of joint legal
6 custody to each parent under paragraph "a".

7 NEW PARAGRAPH. *g.* The district court shall resolve joint
8 legal custody disputes between parents during or after the
9 pendency of the parents' dissolution of marriage action. To
10 initiate the resolution of a dispute, a parent shall file an
11 application with the court and serve process on the other parent.
12 Upon receipt of the application, the court shall set a hearing
13 and expeditiously resolve the dispute in the best interest of
14 the child. A resolution of a dispute may award each parent
15 separate rights and responsibilities of joint legal custody under
16 paragraph "f".

17 NEW PARAGRAPH. *h.* During or after the pendency of a
18 dissolution of marriage action for the parents of a child, the
19 parents may stipulate to a parenting plan that includes the
20 allocation of parenting functions, parenting time, or both.
21 The court shall approve the parenting plan unless it finds the
22 agreement is not in the best interest of the child.

23 **EXPLANATION**

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

26 This bill relates to the establishment or modification of
27 legal custody of a child.

28 The bill allows a court to award separate rights and
29 responsibilities of joint legal custody to each parent in a
30 dissolution of marriage proceeding.

31 The bill allows a court to resolve joint legal custody
32 disputes between parents during or after the pendency of the
33 parents' dissolution of marriage action. To initiate a dispute
34 resolution, a parent must file an application with the court
35 and serve process on the other parent. Upon receipt of the

1 application, the court must set a hearing and resolve the dispute
2 in the best interest of the child. A resolution of a dispute may
3 award each parent separate rights and responsibilities of joint
4 legal custody.

5 The bill allows the parents of a child to stipulate to
6 a parenting plan that includes the allocation of parenting
7 functions, parenting time, or both. A court must approve the
8 parenting plan unless it finds the agreement is not in the best
9 interest of the child.

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