

Senate File 542 - Introduced

SENATE FILE 542
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1123)

A BILL FOR

1 An Act relating to the suspension of child support and medical
2 support in certain circumstances.

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

unofficial

1 Section 1. NEW SECTION. **598.21H Suspension of child support**
2 **— child in need of assistance proceedings.**

3 1. Subject to 28 U.S.C. §1738B, the court may enter an ex
4 parte order suspending a child support or medical support order
5 entered under chapter 234, 252A, 252C, 252F, 600B, or this
6 chapter if all of the following conditions are met:

7 a. A dispositional or permanency order in juvenile court,
8 pursuant to chapter 232, places the custody or physical care of a
9 child with a person who is obligated to pay support for the child
10 pursuant to an order entered under chapter 234, 252A, 252C, 252F,
11 600B, or this chapter.

12 b. The juvenile court files a notice of change of custody
13 pursuant to section 232.102, subsection 11, or section 232.104,
14 subsection 11.

15 c. The parent obligated to pay support files an application
16 requesting a suspension of support in the case in which child
17 support is ordered. The application shall identify the county
18 and docket number of the juvenile court proceeding, and the date
19 of the dispositional or permanency order, that placed the custody
20 or physical care of the child with the parent obligated to pay
21 support. An application filed by a parent obligated to pay
22 support shall also include the names and current addresses of the
23 payor and payee, and shall attach a copy of the notice of change
24 of custody filed under section 232.102, subsection 11, or section
25 232.104, subsection 11.

26 2. The order suspending support shall be effective on the
27 date the next support payment is due, and that payment is
28 suspended. Any party, or child support services, may file
29 an objection to the order suspending support within twenty-one
30 calendar days after the date the order is entered. The court
31 shall schedule a hearing on the objection not later than fifteen
32 calendar days after the date the objection is filed, and provide
33 notice of the hearing to the parties. Unless otherwise ordered
34 by the court, the ex parte order shall become final and terminate
35 the support obligation sixty calendar days following the date the

1 juvenile court proceeding terminates.

2 3. The court may enter an ex parte order terminating a
3 suspension ordered under subsection 1 if all of the following
4 conditions are met:

5 a. The juvenile court returns the custody or physical care of
6 the child to the parent who was previously entitled to receive
7 support for the child.

8 b. The juvenile court files a notice of change of custody
9 pursuant to section 232.101, subsection 11, or section 232.104,
10 subsection 11, to acknowledge the change of a child's custody
11 back to the person previously entitled to receive support for the
12 child.

13 c. The parent who was previously entitled to receive support
14 for the child, or child support services, files an application in
15 the case in which the support was ordered, and then suspended,
16 to request that the suspension be terminated. The application
17 shall identify the county and docket number of the juvenile
18 court proceeding, and the date of the dispositional or permanency
19 order, that returned custody or physical care of the child to
20 the person who was previously entitled to receive support for
21 the child. An application filed by a person who was previously
22 entitled to receive support for a child shall also include the
23 names and current address of the payor and payee, and shall
24 attach a copy of the notice of change of custody filed under
25 section 232.102, subsection 11, or section 232.104, subsection
26 11, acknowledging the change of a child's custody back to the
27 person previously entitled to receive support for the child.

28 4. An order terminating the suspension of support shall
29 be effective on the date the next support payment would be
30 due pursuant to the original support order, and the suspension
31 of that payment is terminated. Any party, or child support
32 services, may file an objection to the order ending the
33 suspension of support within twenty-one calendar days of the date
34 the order is entered. The court shall schedule a hearing on the
35 objection not later than fifteen calendar days after the date

1 the objection is filed, and provide notice of the hearing to the
2 parties.

3 5. A court shall waive any court costs or filing fee for an
4 application to suspend support, or an application to terminate
5 the suspension of support, filed under this section. The supreme
6 court shall prescribe standard forms for parents to use under
7 this section, and shall distribute the forms to the clerks of the
8 district court.

9 6. Notwithstanding any provision of law to the contrary, if a
10 juvenile court order placing custody or physical care of a child
11 is being used as the basis for an application or an ex parte
12 order under this section, the notice of change of custody issued
13 by the juvenile court pursuant to section 232.102, subsection
14 11, or section 232.104, subsection 11, shall be disclosed upon
15 request to child support services without a court order.

16 Sec. 2. Section 232.102, Code 2025, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 11. If, at the dispositional hearing, the
19 court transfers the custody or physical care of a child to a
20 parent who is ordered to pay support for the child, the juvenile
21 court shall, upon request of the parent ordered to pay support,
22 the parent owed support, or child support services, file a notice
23 of change of custody so that the payor may request a suspension
24 of support under section 598.21H, in the district court case
25 where support was ordered.

26 a. The notice shall include all of the following:

27 (1) The child's initials and year of birth. The notice shall
28 not include the child's full name.

29 (2) A notice that, pursuant to a dispositional order, the
30 court has transferred custody of the child, including an
31 identification of from whom custody of the child was transferred
32 and to whom custody of the child was transferred.

33 (3) A notice that the parties may request a suspension of the
34 current child support obligation pursuant to section 598.21H.

35 b. If custody or physical care of the child is returned to

1 the person who was previously entitled to receive support for the
2 child, the court shall file a notice of change of custody so that
3 the person who was previously entitled to receive support for the
4 child may request an end to a suspension of support under section
5 598.21H.

6 Sec. 3. Section 232.104, Code 2025, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 11. If, at the dispositional hearing, the
9 court transfers the custody or physical care of a child to a
10 parent who is ordered to pay support for the child, the juvenile
11 court shall, upon request of the parent ordered to pay support,
12 the parent owed support, or child support services, file a notice
13 of change of custody so that the payor may request a suspension
14 of support under section 598.21H, in the district court case
15 where support was ordered.

16 a. The notice shall include all of the following:

17 (1) The child's initials and year of birth. The notice shall
18 not include the child's full name.

19 (2) A notice that, pursuant to a dispositional order, the
20 court has transferred custody of the child, including an
21 identification of from whom custody of the child was transferred
22 and to whom custody of the child was transferred.

23 (3) A notice that the parties may request a suspension of the
24 current child support obligation pursuant to section 598.21H.

25 b. If custody or physical care of the child is returned to
26 the person who was previously entitled to receive support for the
27 child, the court shall file a notice of change of custody so that
28 the person who was previously entitled to receive support for the
29 child may request an end to a suspension of support under section
30 598.21H.

31 **EXPLANATION**

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

34 This bill relates to the suspension of child support and
35 medical support (support) in certain circumstances.

1 The bill allows a court to enter an ex parte order suspending
2 support if a dispositional or permanency order in juvenile court
3 places the custody or physical care of a child with a parent who
4 is obligated to pay support for the child (supporting parent);
5 the juvenile court files a notice of change of custody; and the
6 supporting parent files an application requesting a suspension
7 of support in the case in which child support was ordered. The
8 bill details required contents of the application, procedural
9 requirements related to the application, and who may object to
10 the application. The order is effective on the date the next
11 support payment is due, and that payment is suspended. The bill
12 details the process of how the parent previously entitled to
13 receive support (receiving parent) may apply to end a suspension
14 of the support if the custody or physical care of the child is
15 transferred back to the receiving parent.

16 The bill requires the court to waive any court costs or filing
17 fees for an application to suspend support or an application
18 to terminate the suspension of support, and the bill requires
19 the supreme court to prescribe, and distribute to clerks of
20 the district court, standard forms for parents to use for
21 applications to suspend or terminate the suspension of support.

22 The bill requires a court to enter a notice of change of
23 custody at a dispositional hearing if the custody or physical
24 care of a child is transferred to a supporting parent and the
25 supporting parent makes a request for a notice of change of
26 custody. The bill requires a court to file a notice of change of
27 custody if custody or physical care of the child is subsequently
28 transferred back to the receiving parent.