

Senate Study Bill 1123 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY CHAIRPERSON
SCHULTZ)

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. Section 598.21C, subsection 1, paragraph k, Code
2 2025, is amended to read as follows:

3 k. (1) Entry of a ~~dispositional or permanency~~ an order
4 in juvenile court pursuant to chapter 232 placing custody or
5 physical care of a child with a party who is obligated to pay
6 support for a the child. Any filing fees or court costs for
7 a modification filed or ordered pursuant to this paragraph are
8 waived.

9 (2) (a) The court that entered an order for child support or
10 medical support may enter an ex parte order suspending the child
11 support or medical support under this paragraph upon receiving
12 an application from the party obligated to pay the child support
13 or medical support. The application must contain the county,
14 docket number, and date of the order that placed the custody or
15 physical care of the child with the party obligated to pay the
16 child support or medical support. An ex parte order suspending
17 child support or medical support shall be effective on the date
18 the ex parte order is entered.

19 (b) If the court subsequently orders custody or physical care
20 of the child returned to the party owed child support or medical
21 support, upon receiving an application from the party owed child
22 support or medical support, the court may enter an ex parte order
23 terminating the ex parte order under subparagraph division (a).
24 The application must contain the county, docket number, and date
25 of the order that returned the custody or physical care of the
26 child to the party owed child support or medical support. An
27 ex parte order terminating an ex parte order under subparagraph
28 division (a) shall be effective on the date the ex parte order is
29 entered.

30 (c) A person, including but not limited to a party obligated
31 to pay child support or medical support, the party owed child
32 support or medical support, and child support services, may file
33 an objection to an ex parte order entered under this subparagraph
34 within fifteen calendar days of the date the ex parte order
35 is entered. The clerk of the district court shall schedule a

1 hearing on the objection not later than seven calendar days after
2 the date the objection is filed and shall provide notice of the
3 hearing to the parties.

4 (d) The supreme court shall prescribe a standard form to
5 be used by a party submitting an application under this
6 subparagraph, and distribute the form to the clerks of the
7 district court.

8 EXPLANATION

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

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

13 Under current law, a district court is allowed to enter
14 an order modifying an order for support or spousal support
15 when there is a substantial change in circumstances. One such
16 substantial change in circumstances is when a dispositional
17 or permanency order entered under Code chapter 232 (juvenile
18 justice) places the custody or physical care (custody) of a child
19 with a party obligated to pay support (obligor) for the child.
20 The bill allows a court to modify support and spousal support
21 when any order entered under Code chapter 232 places the custody
22 of a child with an obligor.

23 The bill allows a district court that entered an order for
24 support to enter an ex parte order suspending support if an order
25 entered under Code chapter 232 placed the custody of a child
26 with an obligor and the obligor filed an application requesting
27 a suspension of the support. The district court may terminate
28 an ex parte order suspending support when the child is returned
29 to the party owed support and the party owed support files an
30 application with the court. Applications for ex parte orders
31 to suspend or terminate suspension of support must contain the
32 county, docket number, and date of the order that placed custody
33 of the child with the party filing the application. Ex parte
34 orders suspending or terminating the suspension of support are
35 effective on the date they are entered. A person may file an

1 objection to an ex parte order suspending or terminating the
2 suspension of support within 15 calendar days of the date the
3 ex parte order is entered. The clerk of the district court must
4 schedule a hearing on the objection not later than seven calendar
5 days after the filing of the objection and provide notice of the
6 hearing to the parties.

7 The bill requires the supreme court to prescribe a standard
8 form to be used by a party submitting an application for
9 suspension or termination of the suspension of support and
10 distribute the form to the clerks of the district court.

unofficial