

CHAPTER 1158

ANNUAL FINANCIAL REPORT FOR URBAN RENEWAL AREAS — FILING DEADLINE

S.F. 2459

AN ACT relating to the deadline for municipalities to file annual financial reports for urban renewal areas.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 403.23, subsection 1, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

On or before ~~September 30~~ December 1 of each year, the municipality shall submit an annual financial report containing the information required in section 403.15, subsection 5, to the department of management and to the county auditor of the county in which the municipality is located. In addition to the information contained in the report, the municipality shall provide the following information to the department and to the county auditor:

Sec. 2. Section 403.23, Code Supplement 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 3. If a municipality does not file the annual report with the department of management and the county auditor by December 1, the county treasurer shall withhold disbursement of incremental taxes to the municipality until the annual report is filed beginning immediately with the next following disbursement of taxes. The county auditor shall notify the county treasurer if taxes are to be withheld.

Approved May 3, 2000

CHAPTER 1159

CHILD CUSTODY, VISITATION, AND SUPPORT — MEDIATION

H.F. 683

AN ACT relating to mediation services related to custody, visitation, and support of a child, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **INTENT OF THE GENERAL ASSEMBLY.** It is the intent of the general assembly that parties to family law actions maintain responsibility for their decision making, improve their communications concerning their children, and commit themselves to the decisions they reach. The best interests of children are normally served through maintenance of maximum contact with both parents, with a minimum of parental conflict.

Because research demonstrates that parental conflict may result in emotional and psychological damage to parties and their children, the general assembly finds that mediation should be utilized to the greatest extent possible in the resolution of domestic relations disputes in this state.

Sec. 2. Section 598.7A, Code 1999, is amended by striking the section and inserting in lieu thereof the following:

598.7A MEDIATION.

1. The district court may, on its own motion or on the motion of any party, order the parties to participate in mediation in any dissolution of marriage action or other domestic relations action. Mediation performed under this section shall comply with the provisions of chapter 679C. The provisions of this section shall not apply if the action involves a child support or medical support obligation enforced by the child support recovery unit. The provisions of this section shall not apply to actions which involve domestic abuse pursuant to chapter 236. The provisions of this section shall not affect a judicial district's or court's authority to order settlement conferences pursuant to rules of civil procedure. The court shall, on application of a party, grant a waiver from any court-ordered mediation under this section if the party demonstrates that a history of domestic abuse exists as specified in section 598.41, subsection 3, paragraph "j".

2. The supreme court shall establish a dispute resolution program in family law cases that includes the opportunities for mediation and settlement conferences. Any judicial district may implement such a dispute resolution program, subject to the rules prescribed by the supreme court.

3. The supreme court shall prescribe rules for the mediation program, including the circumstances under which the district court may order participation in mediation.

4. Any dispute resolution program shall comply with all of the following standards:

a. Participation in mediation shall include attendance at a mediation session with the mediator and the parties to the action, listening to the mediator's explanation of the mediation process, presentation of one party's view of the case, and listening to the response of the other party. Participation in mediation does not require that the parties reach an agreement.

b. The parties may choose the mediator, or the court shall appoint a mediator. A court-appointed mediator shall meet the qualifications established by the supreme court.

c. Parties to the mediation have the right to advice and presence of counsel at all times.

d. The parties to the mediation shall present any agreement reached through the mediation to their attorneys, if any. A mediation agreement reached by the parties shall not be enforceable until approved by the court.

e. The costs of mediation shall be borne by the parties, as agreed to by the parties, or as ordered by the court, and may be taxed as court costs. Mediation shall be provided on a sliding fee scale for parties who are determined to be indigent pursuant to section 815.9.

5. The supreme court shall prescribe qualifications for mediators under this section on or before January 1, 2001. The qualifications shall include but are not limited to the ethical standards to be observed by mediators. The qualifications shall not include a requirement that the mediator be licensed to practice any particular profession.

Sec. 3. **SUPREME COURT REPORT.** The supreme court shall submit a report to the general assembly by January 1, 2001, which shall include any recommendations for implementing, modifying, and funding this Act.

Sec. 4. **EFFECTIVE DATE.** This Act takes effect July 1, 2001, except that¹ section 3 of this Act takes effect upon enactment.

Approved May 3, 2000

¹ See chapter 1232, §86 herein