

CHAPTER 161

LOCAL PUBLIC DEFENDERS — ADOPTION PROCEEDINGS — REPRESENTATION OF INDIGENT PETITIONERS

H.F. 743

AN ACT providing for representation of adoptive parents by local public defenders.

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

Section 1. [Section 13B.9, subsection 1](#), paragraph b, Code 2021, is amended to read as follows:

b. Represent an indigent party, upon order of the court, in child in need of assistance, family in need of assistance, delinquency, and termination of parental rights proceedings pursuant to [chapter 232](#) when designated by the state public defender to represent the indigent party in the type of case for that county. The local public defender shall counsel and represent an indigent party in all proceedings pursuant to [chapter 232](#) to which the local public defender is appointed and prosecute before or after judgment any appeals or other remedies which the local public defender considers to be in the interest of justice unless other counsel is appointed to the case. A local public defender office shall represent in a subsequent adoption proceeding an indigent party who files an adoption petition pursuant to [section 600.3](#) to adopt a child who was the subject of a termination of parental rights proceeding pursuant to [chapter 232](#) in which the local public defender office was involved as provided under this paragraph. If a conflict of interest arises, the representation shall be provided through referral of the indigent party to outside counsel with whom the state public defender has contracted, subject to the fees for legal services incorporated in the contract.

Approved June 8, 2021