

600A.2 Definitions.

As used in this chapter:

1. "*Adult*" means a person who is married or eighteen years of age or older.
2. "*Agency*" means a child-placing agency as defined in section 238.2 or the department.
3. "*Biological parent*" means a parent who has been a biological party to the procreation of the child.
4. "*Child*" means a son or daughter of a parent, whether by birth or adoption.
5. "*Court*" means a district court.
6. "*Custodian*" means a stepparent or a relative within the fourth degree of consanguinity to a minor child who has assumed responsibility for that child, a person who has accepted a release of custody, or a person appointed by a court or juvenile court having jurisdiction over a child. The rights and duties of a custodian with respect to a child shall be as follows:
 - a. To maintain or transfer to another the physical possession of that child.
 - b. To protect, train, and discipline that child.
 - c. To provide food, clothing, housing, and ordinary medical care for that child.
 - d. To consent to emergency medical care, including surgery.
 - e. To sign a release of medical information to a health professional. All rights and duties of a custodian shall be subject to any residual rights and duties remaining in a parent or guardian.
7. "*Department*" means the state department of human services or its subdivisions.
8. "*Guardian*" means a person who is not the parent of a minor child, but who has been appointed by a court or juvenile court having jurisdiction over the minor child to make important decisions which have permanent effect on the life and development of that child and to promote the general welfare of that child. A guardian may be a court or a juvenile court. Guardian does not mean conservator, as defined in section 633.3, although a person who is appointed to be a guardian may also be appointed to be a conservator.

Unless otherwise enlarged or circumscribed by a court or juvenile court having jurisdiction over the minor child or by operation of law, the rights and duties of a guardian with respect to a minor child shall be as follows:

- a. To consent to marriage, enlistment in the armed forces of the United States, or medical, psychiatric or surgical treatment.
- b. To serve as custodian, unless another person has been appointed custodian.
- c. To make reasonable visitations if the guardian does not have physical possession or custody of the minor child.
- d. To consent to adoption and to make any other decision that the parents could have made when the parent-child relationship existed.

9. "*Guardian ad litem*" means a person appointed by a court or juvenile court having jurisdiction over the minor child to represent that child in a legal action. A guardian ad litem appointed under this chapter shall be a practicing attorney.

10. "*Independent placement*" means placement for purposes of adoption of a minor in the home of a proposed adoptive parent by a person who is not the proposed adoptive parent and who is not acting on behalf of the department or of a child-placing agency.

11. "*Indigent*" means a person has an income level at or below one hundred percent of the United States poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services, unless the court determines that the person is able to pay for the cost of an attorney in the pending case. In making the determination of a person's ability to pay for the cost of an attorney, the court shall consider the person's income and the availability of any assets subject to execution, including but not limited to cash, stocks, bonds, and any other property which may be applied to the satisfaction of judgments, and the nature and complexity of the case.

12. "*Juvenile court*" means the juvenile court established by section 602.7101.

13. "*Minor*" means an unmarried person who is under the age of eighteen years.

14. "*Parent*" means a father or mother of a child, whether by birth or adoption.

15. "*Parent-child relationship*" means the relationship between a parent and a child recognized by the law as conferring certain rights and privileges and imposing certain duties. The term extends equally to every child and every parent, regardless of the marital status of the parents of the child. The rights, duties, and privileges recognized in the parent-child relationship include those which are maintained by a guardian, custodian, and guardian ad litem.

16. "*Putative father*" means a man who is alleged to be or who claims to be the biological father of a child born to a woman to whom the man is not married at the time of birth of the child.

17. "*Stepparent*" means a person who is the spouse of a parent in a parent-child relationship, but who is not a parent in that parent-child relationship.

18. "*Termination of parental rights*" means a complete severance and extinguishment of a parent-child relationship between one or both living parents and the child.

19. "*To abandon a minor child*" means that a parent, putative father, custodian, or guardian rejects the duties imposed by the parent-child relationship, guardianship, or custodianship, which may be evinced by the person, while being able to do so, making no provision or making only a marginal effort to provide for the support of the child or to communicate with the child.

[C77, 79, 81, § 600A.2]

83 Acts, ch 96, § 157, 159; 83 Acts, ch 186, § 10111, 10201; 90 Acts, ch 1271, § 1510; 94 Acts, ch 1046, §19; 94 Acts, ch 1174, §13, 22; 97 Acts, ch 161, §1; 97 Acts, ch 209, §27, 30; 2005 Acts, ch 107, §2, 14