



In the Supreme Court of Iowa

In the Matter of Chapter 17 of)
the Iowa Court Rules and Self-)
Represented Litigant Forms) Order
for Disestablishing Legal Parent)

The Iowa Supreme Court adopts the attached self-represented litigant forms for disestablishing the legal parent status of a party to a dissolution of marriage with children. Litigants may use these new forms (rule 17.200, forms 212 and 213) immediately. The forms are available at no cost in a fillable and savable format on the Iowa Judicial Branch website.

Form 212, *Joint Statement on Legal Parent*, is for parties to a dissolution of marriage action to use if a child is born or conceived during the marriage and both parties want the court to find that one of the parties is not a legal parent of the child.

Form 213, *Motion to Disestablish Legal Parent*, is for a party to a dissolution of marriage action to use if a child is born or conceived during the marriage and one of the parties wants the court to find and conclude that one of the parties is not a biological parent of the child and should be disestablished as a legal parent of the child.

The court also amends Chapter 17, rule 17.200 of the Iowa Court Rules, to incorporate these new forms into the set of "Family law forms for dissolution of marriage with dependent children." The amended rule 17.200 is also attached to this order.

The *Guide to Representing Yourself in an Iowa Divorce Case with Children* on the Iowa Judicial Branch website will be updated to include information for self-represented litigants on how to use these forms.

The new forms in Iowa Court Rule 17.200—Form 212 *Joint Statement on Legal Parent* and Form 213 *Motion to Disestablish Legal Parent* are effective immediately.

Dated this 26th day of March, 2014.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice

Rule 17.200 Family law forms for dissolution of marriage with dependent children. The following forms are for use in dissolution of marriage (divorce) actions with children under the age of 18 who are children of both spouses to the marriage, or children under the age of 18 who were adopted or born during the marriage, or children 18 years of age or older who are children of both spouses to the marriage and are dependent or still need support. These forms must also be used if a spouse of the marriage is pregnant.

Form 201: Petition for Dissolution of Marriage with Children

Form 202: Petition Cover Sheet for a Dissolution of Marriage with Children

Form 203: Confidential Information Form

Form 204: Original Notice for Personal Service

Form 204a: Original Notice for Personal Service

Form 205: Acceptance of Service

Form 206: Directions for Service of Original Notice

Form 207: Motion and Affidavit to Serve by Publication

Form 208: Original Notice by Publication

Form 209: Application and Affidavit to Defer Payment of Costs

Form 210: Affidavit of Service of Original Notice and Petition for Dissolution of Marriage

Form 211: Protected Information Disclosure

~~Forms 212 to 214: Reserved~~

Form 212: Joint Statement on Legal Parent

Form 213: Motion to Disestablish Legal Parent

Form 214: Reserved

Form 215: Answer to Petition for Dissolution of Marriage with Children

Form 216: General Answer to a Petition for Dissolution of Marriage with Children

Forms 217 to 220: Reserved

Form 221: Affidavit for Temporary Custody and Visitation

Form 222: Motion in a Dissolution of Marriage with Children

Form 223: Response to a Motion

Form 224: Financial Affidavit for a Dissolution of Marriage with
Children

Form 225: Affidavit of Mailing Notice

Form 226: Notice of Intent to File Written Application for Default Decree

Form 227: Request for Relief in a Dissolution of Marriage with Children

Form 228: Settlement Agreement for a Dissolution of Marriage with
Children

Form 229: Agreed Parenting Plan

Form 230: Proposed Parenting Plan

Forms 231 to 300: Reserved

Rule 17.200—Form 212: Joint Statement on Legal Parent

- The parties use this form if a child is born or conceived during the marriage and both parties want the court to find that one of the parties is not a **legal parent** of the child. *Note:* For purposes of this form, **legal parent** is a person who is recognized by law as a parent to a child because of marriage.
- This form tells the court that both parties agree that one party is not a **biological parent** and should be *disestablished* as (should no longer be) a legal parent of the child.
- This form can only be used if the party being disestablished is a legal parent of the child because of the marriage of the parties and there is a pending dissolution of marriage action in Iowa. Do not use this form if the party being disestablished is a legal parent of the child because of an affidavit, court order, or action in another state.

If you do not understand how to use this form, or if you should use this form, talk to an attorney.

In the Iowa District Court for _____ County
County where your case is filed

<p>Upon the Petition of</p> <p>_____</p> <p>Petitioner <i>Full name: first, middle, last</i></p> <p>and concerning</p> <p>_____</p> <p>Respondent <i>Full name: first, middle, last</i></p>	<p>Equity case no. _____</p> <p style="text-align: center;">Joint Statement on Legal Parent</p>
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1. Legal Parent

Check each that applies.

- A. _____ is a legal parent but not a biological parent of
Petitioner's or Respondent's name
 Petitioner's or Respondent's unborn child expected to be born _____
Expected due date
- B. _____ is a legal parent but not a biological parent of the
Petitioner's or Respondent's name
 following children born during the marriage:

List children's initials and birth year

First, middle, & last initials of each child	Birth year
(1)	
(2)	
(3)	

First, middle, & last initials of each child	Birth year
(4)	
(5)	
(6)	

- Check this box if you have attached a sheet listing additional children for whom Petitioner or Respondent is not a biological parent.*

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2. Biological Parent

The biological parents, if known, of the children are as follows:

First, middle, & last initials of each child	Biological parent	First, middle, & last initials of each child	Biological parent
(1)		(4)	
(2)		(5)	
(3)		(6)	

3. Best Interests of the Children

It is in the best interests of the children and the parties that _____
Petitioner or Respondent's name
 is found **not** to be a legal parent of the child or children.

4. Guardian Ad Litem

We understand that the court may appoint a guardian ad litem (an attorney) for the child or children, and that we may have to pay the costs of the guardian ad litem.

5. Request

We ask the court to find and conclude that the legal parent, _____
Petitioner or Respondent's name
 is not a biological parent of the child or children, including any unborn child, listed in section 1 above, and that the court disestablish that person as a legal parent of the child or children.

6. Attorney Help

A. Petitioner *Check one*

- (1) An attorney did not help me prepare or fill in this paper.
- (2) An attorney helped me prepare or fill in this paper.

If you check (2), you must fill in the following information:

Name of attorney or organization, if any *Attorney's P.I.N. # – Ask the attorney*

Business address of attorney or organization *City* *State* *ZIP code*

(_____) _____ (_____) _____ _____
Attorney's phone number *Attorney's fax number – optional* *Attorney's email address – optional*

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B. Respondent *Check one*

(1) An attorney did not help me prepare or fill in this paper.

(2) An attorney helped me prepare or fill in this paper.

If you check (2), you must fill in the following information:

Name of attorney or organization, if any *Attorney's P.I.N. # – Ask the attorney*

Business address of attorney or organization *City* *State* *ZIP code*

(_____) _____ (_____) _____ _____
Attorney's phone number *Attorney's fax number – optional* *Attorney's email address – optional*

7. Oaths and Signatures

A. Petitioner's Oath and Signature

I, _____, have read this Joint Statement, and I certify under penalty of
Print your name
perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Joint Statement is true and correct.

_____, 20_____
Month *Day* *Year* *Petitioner's signature**

Mailing address *City* *State* *ZIP code*

(_____) _____ _____ _____
Phone number *Email address* *Additional email address – if available*

** Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*

B. Respondent's Oath and Signature

I, _____, have read this Joint Statement, and I certify under penalty of
Print your name
perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Joint Statement is true and correct.

_____, 20_____
Month *Day* *Year* *Respondent's signature**

Mailing address *City* *State* *ZIP code*

(_____) _____ _____ _____
Phone number *Email address* *Additional email address – if available*

** Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*

Rule 17.200—Form 213: Motion to Disestablish Legal Parent

- A party uses this form if a child is born or conceived during the marriage and one of the parties wants the court to find and conclude that one of the parties is not a biological parent of the child and should be *disestablished* as (should no longer be) a legal parent of the child.
- For purposes of this form, **legal parent** is a person who is recognized by law as a parent to the child because of marriage.
- This form can only be used if the party sought to be disestablished is a legal parent of the child because of the marriage of the parties and there is a pending dissolution of marriage action in Iowa. If the party sought to be disestablished is a legal parent of the child because of an affidavit, court order, or action in another state, do not use this form.

If you do not understand how to use this form, or if you should use this form, talk to an attorney.

In the Iowa District Court for _____ County
County where your case is filed

Upon the Petition of

Petitioner *Full name: first, middle, last*

and concerning

Respondent *Full name: first, middle, last*

Equity case no. _____

Motion to Disestablish Legal Parent

I am *Check one*

- A. Petitioner
B. Respondent

1. Legal Parent *Check each that applies.*

- A. _____ is a legal parent but may not be a biological parent
Petitioner's or Respondent's name
of Petitioner's or Respondent's unborn child expected to be born _____.
Expected due date
- B. _____ is a legal parent but may not be a biological parent
Petitioner's or Respondent's name
of the following children born during the marriage:

List children's initials and birth year

First, middle, & last initials of each child	Birth year
(1)	
(2)	
(3)	

First, middle, & last initials of each child	Birth year
(4)	
(5)	
(6)	

- Check this box if you have attached a sheet listing additional children for whom Petitioner or Respondent is not the biological parent.*

2. Genetic Tests

Check each that applies

- A. I agree to cooperate with getting any genetic test that the court orders.
- B. I understand that I may have to pay for any genetic test that the court orders.
- C. Genetic tests* have been done and show _____ is not the
Petitioner's or Respondent's name
biological parent.

***Note on genetic tests:** Genetic testing must be done by an accredited laboratory with verified documentation of the chain of custody, and the laboratory must send the evaluation report directly to the clerk of court. See Iowa Code sections 600B.41 and 600B.41A.

3. Request

I ask the court to

- A. Appoint a guardian ad litem (an attorney) for the child or children. I understand that I may have to pay the costs of the guardian ad litem.
- B. Order genetic tests if needed and order that Petitioner, Respondent, and children go for testing.
- C. Find that _____, if excluded by genetic testing, is not a
Petitioner's or Respondent's name
biological parent of the child or children, including any unborn child, listed in section 1 above, and that the court disestablish that person as a legal parent the children or children.

4. Child Support Recovery Unit (CSRU)

Check one

- A. CSRU is providing services.
Note: You must give a copy of this Motion to CSRU if it is providing services.
- B. CSRU is not providing services.

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5. Attorney Help

Check one

A. An attorney did not help me prepare or fill in this paper.

B. An attorney helped me prepare or fill in this paper.

If you check B, you must fill in the following information:

Name of attorney or organization, if any *Attorney's P.I.N. # – Ask the attorney*

Business address of attorney or organization *City* *State* *ZIP code*

(_____) _____ (_____) _____ _____
Attorney's phone number *Attorney's fax number – optional* *Attorney's email address – optional*

6. Certification of Service by Mailing or Delivery

Section 6 to be completed only if filing in paper or if the other party is exempt from electronic filing.

This document, if filed electronically, will automatically be served on registered parties.

I, _____, certify that on _____, _____, 20____
Print your name *Month* *Day* *Year*

I mailed or gave a copy of this Motion to the other party or the other party's attorney at this address:

Name of person to whom I delivered or mailed it

Party's or attorney's mailing address *City* *State* *ZIP code*

7. Oath and Signature

I, _____, certify under penalty of perjury and pursuant to the
Print your name

laws of the State of Iowa that I have read this Motion and that the information I have provided in this Motion is true and correct.

_____, 20____
Signed on: Month Day Year *Your signature**

Mailing address *City* *State* *ZIP code*

(_____) _____ _____
Phone number *Email address* *Additional email address – if available*

* *Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*