

3/20/02 Rereferred To: Judiciary

FEB 21 2002
Place On Calendar

HOUSE FILE 2501
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2403)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act expanding the jurisdiction of the juvenile court to
2 include modifying certain child support orders.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 2501

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1 Section 1. Section 232.109, Code 2001, is amended to read
2 as follows:

3 232.109 JURISDICTION.

4 The juvenile court shall have exclusive jurisdiction over
5 proceedings under this chapter to terminate a parent-child
6 relationship and all parental rights with respect to a child.
7 No such termination shall be ordered except under the
8 provisions of this chapter if the court has made an order
9 concerning the child pursuant to the provisions of division
10 III of this chapter and the order is in force at the time a
11 petition for termination is filed. The juvenile court shall
12 also have jurisdiction to modify any child support order to
13 conform with changes in custody ordered pursuant to this
14 division.

15 EXPLANATION

16 This bill expands the jurisdiction of the juvenile court to
17 include modifying certain child support orders. Under the
18 bill, the juvenile court is granted jurisdiction to modify any
19 child support order to conform with any change of custody
20 ordered in a child in need of assistance proceeding in
21 juvenile court.

22 Current law grants only the district court with
23 jurisdiction to modify a child support order.

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HOUSE FILE 2501

H-8240

1 Amend House File 2501 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 232.147, Code Supplement 2001,
5 is amended by adding the following new subsection:

6 NEW SUBSECTION. 12. The juvenile court may
7 release a juvenile court record that modifies an award
8 of child custody, as described in this subsection, to
9 the child support recovery unit. If the juvenile
10 court issues an order that modifies the existing child
11 custody order such that legal custody and physical
12 care of the child are no longer awarded to the parent
13 who had previously been granted legal custody and
14 physical care, but instead provides that legal custody
15 and physical care are permanently awarded to the
16 obligor as defined in section 252B.1, the juvenile
17 court shall issue a notice of the order to the child
18 support recovery unit created in section 252B.2. The
19 notice shall include the name, social security number,
20 and last known address of each parent, the name and
21 date of birth of the child, a statement that the
22 obligor has been granted legal custody and physical
23 care of the child, and the effective date of the
24 juvenile court order modifying the previous custody
25 order. Upon receipt of the notice from the juvenile
26 court, the unit shall send an application for child
27 support services as provided in section 252B.4 to the
28 parent to whom the order awards legal custody and
29 physical care of the child."

30 2. Title page, lines 1 and 2, by striking the
31 words "expanding the jurisdiction of the juvenile
32 court to include modifying" and inserting the
33 following: "relating to notices to the child support
34 recovery unit by the juvenile court of the
35 modification of".

By KREIMAN of Davis

H-8240 FILED MARCH 11, 2002