

**DIVORCE LAW IN IOWA  
WHEN THE FAMILY  
HAS CHILDREN**

*QUESTIONS AND ANSWERS  
ABOUT IOWA LAW ON  
DIVORCE ISSUES*

**IOWA LEGAL AID**  
**[iowalegalaid.org](http://iowalegalaid.org)**

# **IMPORTANT NOTICE: READ THIS INFORMATION BEFORE USING ANY PART OF THIS PUBLICATION**

**This booklet is a general summary of the law. It is not meant to completely explain the subjects in this booklet. IT IS NOT A SUBSTITUTE FOR LEGAL ADVICE.**

**The information in this booklet was correct as of the date it was printed (see the back cover). The laws may have changed. DO NOT ASSUME THAT THE INFORMATION IN THIS BOOKLET IS NOW CORRECT.**

**You should see a lawyer to get complete, correct, and up-to-date legal advice. Do not rely on the general information in this booklet for your specific case.**

**If you need a lawyer but can't afford one, contact Iowa Legal Aid. You may be able to get free legal help. Call or write Iowa Legal Aid. The address and phone numbers are on the back cover.**

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## **Words Commonly Used in Divorce Proceedings**

**ACCEPTANCE OF SERVICE:** Respondent tells the Clerk of Court in writing the Petition has been received.

**ANNULMENT:** Legal proceeding which declared the marriage void and of no effect.

**ANSWER:** Written response of Respondent to Petitioner's Petition. Respondent admits or denies the separate paragraphs of the Petition.

**DECREE:** Legal document signed by the judge permanently determining all of the rights and responsibilities of the parties and dissolving the marriage.

**DEFAULT:** Failure of one party to respond to a pleading of the other. Generally it results in granting all requests not answered.

**DISSOLUTION OF MARRIAGE:** The legal end of the marriage, referred to in common usage as "divorce."

**DOMESTIC ABUSE:** An assault committed between spouses - married, separated, or divorced.

**"EXTRAORDINARY VISITATION:"** Court-ordered visitation in excess of 127 overnights per year.

**LEGAL SEPARATION:** A proceeding where the couple stays married but all the other issues settled in a divorce are addressed (custody, visitation, division of debts, etc.)

**MODIFICATION:** A change in the decree or order from the court.

**ORIGINAL NOTICE:** A notice served with the Petition stating that an action has been filed against the Respondent. It says a judgment will be taken if she/he fails to answer.

**PETITION:** The first set of papers filed in the action. The Petitioner requests the dissolution of marriage and other relief such as custody, support, attorney fees, etc.

**PETITIONER:** The one who starts the dissolution proceedings.

**RESIDENCE:** Any place where one actually lives. A person can have several residences.

**RESPONDENT:** The person against whom the action is brought.

**SERVICE:** Delivering the Petition to Respondent. This can be done by the Sheriff's office or a private process server. It can be done by the petitioner or Petitioner's Attorney if the Respondent will voluntarily accept service. Service of other court papers after this initial service are usually done as directed by the court. (by mail, by Sheriff, etc.)

**STIPULATION:** The written agreement made by the parties resolving all issues in dispute. There can be temporary stipulations on custody, support, or attorney fees to protect one or both parties while the dissolution action is pending. A final stipulation can resolve all issues arising out of the divorce action so the case can be finalized without a trial.



# Introduction

Sometimes a marriage no longer works. One or both spouses think about a divorce. A divorce takes time and you must plan and make decisions. This booklet may help people thinking about divorce prepare for the dissolution of their marriage. If you are divorced and hope to change a term in your original decree, the part on “After the Divorce” starting on page 11 may be useful.

Iowa is a “no-fault” state. This means you do not have to prove one spouse was at fault in the breakdown of the marriage. Courts will grant a divorce where one or both parties say there has been a breakdown of the marriage relationship with no reasonable hope of making it work.

This booklet explains the process of divorce. It is a summary of what the court looks at in making final decisions about custody, child support, alimony and property.

There are currently no forms to use in divorce cases where there are children. The forms are being developed. You can check with the Clerk of Court in your county or look online to find out when the forms will be available. To check online, go to [http://www.iowacourts.gov/Representing\\_Yourself/DivorceFamily\\_Law/](http://www.iowacourts.gov/Representing_Yourself/DivorceFamily_Law/)

## GENERAL INFORMATION

### Do I Need to Have a Lawyer?

It is best to have a lawyer. There are times when parties are able to work out a settlement on their own. No law says people must have a lawyer in order to get a divorce. However, in these cases you should talk to a lawyer:

- When there are children from this marriage; or
- When either of you own real estate; or
- When you don't agree about how to divide what you own; or
- When one party thinks he or she may be entitled to support from the other party; or
- When there is any dispute.

### How Much Does it Cost to Get a Divorce?

You must pay a fee of \$185.00 to the Clerk of Court when the divorce Petition is filed. There are also service fees to the Sheriff if service must be made by the Sheriff. Service fees are usually \$20 to \$30. If you are unable to pay the fees, you can ask the court to defer payment of the costs. You must provide specific details about your income and expenses. A petitioner who asks to defer payment can file without paying a fee. The fee will still be charged to a party at the end of the divorce. Also, a \$50 fee must be paid when the final decree is filed.

Many lawyers require “retainers” or money up front to start a divorce action. Fees vary from city to city and from law firm to law firm. Lawyers often want at least a \$500.00 to \$1,000.00 retainer. Discuss fees and payment options with your lawyer. Be sure you know how much your lawyer charges per hour. If he or she charges a flat rate, find out what it will be. Ask if that flat rate goes up if the case gets more difficult than it seemed at first.

A contested divorce is when the parties cannot agree on the issues. Most of the time this costs more than an uncontested one. The reason is because a trial is often involved. Courts may require the party in the best financial position to pay part or all of the legal fees. This may include some of the other side's fees.

### What If I Can't Afford a Lawyer?

Many people worry about the cost in deciding whether or not to have a lawyer. If you do not have a lawyer, your rights may not be addressed in your divorce petition and decree. This may end up costing more in the long run. It can happen since you must pay later to try to get changes in the initial decree. Courts are reluctant to make any changes later unless there has been a major change of circumstances. Property decisions cannot be changed later by the Court in any event. Consider, too, the negative feelings you will have if you feel that your rights were not considered in the initial petition and decree.

In some parts of the state, special programs help reduce the expenses involved, such as attorney's fees. Talk to the Clerk of Court in the county the divorce is filed to find out if there is such a program in your area.

The Court may order your spouse to pay attorney's fees. This will not occur until after a hearing on temporary support and fees or the decree is final. In the meantime, most lawyers will want payment in order to start the divorce.

Talk to your lawyer to see if you can pay in installments.

If you are a victim of domestic abuse and are low-income, Iowa Legal Aid may be able to help. Call the toll-free number on the back of this booklet or go to [iowalegalaid.org](http://iowalegalaid.org) on the Web to find out which office serves your county.

## **What is the Difference Between “Divorce” and “Annulment?”**

“Divorce” ends a valid marriage. “Annulment” means the marriage was never valid and should never have happened. The reasons to annul a marriage are very limited. They include marriages prohibited by law and where either person was already married to someone else.

## **What is the Difference Between a Divorce and a Legal Separation?**

They are very similar. The main difference is the couple stays married. They simply ask the court to decide how to handle things like support, property, and debts while they are separated. This is because they plan to be separated a long time. Legal separations are quite rare. The person whose spouse files for a legal separation can ask the court to grant a divorce instead. In both actions, the court looks at the topics this booklet covers.

## **What If I’m Not Sure I’m Married?**

Common law marriage is generally an informal marriage. There is no ceremony. It is an agreement between two persons who are legally capable of marrying. You must be able to show that:

- Both parties intended to be married and agreed to it;
- There must be some degree of living together, though no set length of time is required. The simple act of living together, without more, is not enough to establish a common-law marriage;
- There must be public declaration or “holding out” as married. While there is no formula to determine if the parties have been “holding out” as a married couple, the following activities have been convincing:
  - ▶ introducing one another as my spouse
  - ▶ exchanging wedding rings
  - ▶ filing state taxes as a married couple
  - ▶ going to social events as a married couple
  - ▶ naming as spouse in an insurance policy
  - ▶ joint checking account
  - ▶ introduction as spouse
  - ▶ marital status on employment application

A party cannot be married to more than one person at a time. A married person who knowingly marries before dissolving the first marriage could be guilty of bigamy. The innocent “spouse” in such a case can seek to have the marriage annulled.

If you are not sure if you are married, it is safest to ask the court to decide. You can ask in a divorce or just ask the court to declare the rights of the parties, whether you are married at common law or not. Remember that while you can be married at common law, there is no common law divorce. If there is a common law marriage, you must get a formal divorce from the court before you can marry again, either by common law or by formal, licensed means.

You can find out more on common law marriage from Iowa Legal Aid or on the website [iowalegalaid.org](http://iowalegalaid.org).

**PLEASE NOTE:** Iowa is one of only about 13 states recognizing common law marriage. In most states, the couple has to sign a marriage certificate or they are not married, no matter whether all the above elements are met or not.

# THE DIVORCE PROCESS

## Can Anyone File for Divorce in Iowa?

You must meet certain requirements before bringing a divorce action in Iowa. Some concern the parties' residency. Iowa law states:

- the person filing a petition for divorce (Petitioner) must live in Iowa for at least one year before bringing a divorce action, unless the person's spouse (Respondent) is a resident of Iowa and is personally served (notified in person).
- The petition must contain a statement showing that Petitioner's residence in Iowa has been in good faith and not just to get a divorce.

## What If You Don't Know Where Your Spouse Is?

You can still file for divorce, but the spouse must receive notice of the lawsuit by putting a notice in the paper, called serving notice by publication. You need to make efforts to serve your spouse personally before you can serve by publication. If you have to serve by publication, the court is limited in what it can do. For example, you can be divorced but you may not be able to get money from your spouse.

## How Long Does it Take to Get a Divorce?

Action Is Filed ⇨	20 Days To Respond ⇨	90-day Waiting Period ⇨	Final Decree
The spouse bringing the divorce action gets the papers ready to start the divorce. The spouse files papers with the court.	The other spouse is notified and has 20 days to answer	A 90-day waiting period begins. (If the court orders marriage counseling, the waiting period will not start until counseling is done).	

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A spouse who brings a divorce action will have to fill out the petition and other papers or hire a lawyer to do this. The spouse files the papers that start the divorce with the Clerk of Court.

The other party must be "served" with the papers. Once a spouse is served, a spouse has 20 days to respond or answer the petition. Once the other spouse has been served, a ninety-day waiting period begins. During the waiting period, some parties get counseling or work out the terms of their divorce. ***This is a good time to take the Mandatory Child Education Course like "Children in the Middle" or "Children Cope With Divorce" (see page 6 for more information).*** No decree can be entered until this 90-day period is over. In certain situations, the court can shorten the 90-day waiting period.

If the court orders conciliation (marriage counseling), the 90-day period will not start until the conciliation is done. Couples are usually ordered to take part in the counseling for 60 days.

The parties usually have to file a Financial Affidavit, unless the judge agrees that it is not needed. If the parties can work out the terms of their agreement, a hearing date is scheduled. Most hearings can be scheduled soon after the ninety-day waiting period has ended. It may take more than ninety days to work out the agreement.

If the parties are unable to work out an agreement, their divorce is contested. This means a trial must be scheduled. Depending on the number of issues and how difficult they are, a trial date may be months away. Once a judge hears the case, it may be weeks or even months before getting a final decision and decree.

In certain cases, it is possible to get the divorce without a court hearing. Among other requirements, all the necessary documents must be on file. The parties must also have entered into a written agreement settling all the issues involved.

## What Is the Petition and What Information Does it Contain?

In a divorce action, the petition is a formal, written request to the Court. It asks the Court to dissolve the marriage.

The petition must say that the marriage is broken and can not be saved. In addition, the petition should have:

- Names of the parties. If a spouse decides to use the name on his or her birth certificate or the name used prior to marriage once the divorce is final, the petition can say so.
- Unless the Respondent is a resident of the state and is to be personally served, the petition must state that the Petitioner has been a resident of Iowa for the last year. The petition must state the county in which the Petitioner has lived. It must say the Petitioner has lived in Iowa not just to get a divorce.
- The name, date of birth and present address of each minor child affected by the divorce.
- The places where every child has lived for the past five years and names and present addresses of the persons with whom the child has lived during the past five years.
- A list of any current lawsuits that could affect custody or child support, including protective orders, termination of parental rights, other child support actions and adoptions. For any lawsuit list the name of the court, case number and type of case.
- Include the names of any person not a party who has physical custody of the child or claims some right to physical custody of the child. For any person, include the name and address.
- Whether the Petitioner wants temporary and/or permanent child support and alimony.
- Who should have custody of the children.
- What the Petitioner wants the court to do. For example, end the marriage, divide the debts, or order alimony.

## What are Temporary Orders?

Certain issues may need to be dealt with between the time a Petition is filed and the Divorce is granted. For example, one spouse may have concerns about finances or the welfare of the children. If so, a spouse may request temporary orders from the court for attorney's fees, temporary custody of the children, child support, visitation, or alimony. The right to sole occupancy of the family home can be ordered, but only if there has been domestic violence. Before the Court will rule on temporary matters, the need to have a hearing is likely. Such hearings are not automatically scheduled. Alimony is difficult to get. Look at "Will the Court Order Spousal Support (Alimony)?" on page 10 to see what the court will consider.

The courts follow guidelines to decide how much temporary child support should be ordered. To make a decision, the guidelines determine child support based on three things:

- the number of children
- the income of the parent with custody
- the income of the parent who does not have custody.

A copy of the first four pages of the child support guidelines is at the back of this booklet. These guidelines start July 1, 2009.

## What If There is Domestic Abuse?

You may be filing for divorce because your spouse has harassed or physically abused you. It is important that you tell this to your lawyer. If you have a protective order or no-contact order, you should note this on the petition. If you do not have a protective order but need one, you can ask for a protective order in the divorce. The protective order forbids your spouse from contacting you.

An abusive spouse tends to say he or she is sorry and promises not to repeat the abusive behavior. However, the abuse usually continues. It often becomes more violent in time, especially when the abuser believes he/she is "losing" the other spouse. Domestic violence intervention programs offer temporary housing and counseling for victims of violence.

Also, evidence of abuse has an effect on decisions about counseling and mediation. Some courts require mediation in divorce cases. Mediation is a way of helping the parties come to an agreement. See "What is Mediation?" on page 5. If domestic abuse is involved in the relationship, a party can ask the court to waive any court-ordered mediation.

Contact Iowa Legal Aid and ask for the booklet Domestic Abuse and the Law. Call the 24-hour statewide, toll-free number to find out about the local Domestic Abuse Program that can help you.

**Statewide Domestic Abuse Hotline:  
1-800-942-0333**

## **What Should I Do if I Was Served Divorce Papers?**

If you are the Respondent and have been served the Original Notice, you must file an Answer with the Court within 20 days.

If you do not file an answer, the divorce will continue but you will not be taking part. The Court will grant a divorce without your input. You might not even know about it (divorce by default). So, if you get notice and cannot afford a lawyer, you can place a written answer on file with the Clerk of Court on your own. Be sure to send a copy to your spouse's lawyer (or your spouse if he/she is unrepresented). Keep a copy for yourself.

The Answer tells the court what parts of the petition you agree with, and which ones you don't. It is also the place to ask the court for certain things you might want that are not in the petition. For example, you may ask for both spouses to go to counseling to try to save the marriage.

## **What Happens after the Answer Is Filed?**

After the petition has been filed, and the other spouse is served with (gets a copy of) the petition, a waiting period of 90 days is required. After the waiting period, the final hearing takes place and the divorce decree is granted.

Please note that the court does not automatically enter a decree after 90 days have passed. The decree is entered only after the parties have filed their stipulation setting all issues arising out of the divorce. A short hearing may be needed to finalize the divorce. In certain cases, a decree can be entered without a hearing (see the above answer). If no settlement can be reached, the Court enters a decree after a trial takes place before the Court. The trial allows the Court to hear all the testimony and to review the evidence.

## **What If One Spouse Wants Marriage Counseling?**

Either spouse or the Court may request counseling. The Court may require the parties to take part in these efforts for a period of 60 days or less.

## **Working Out a Stipulation**

The 90-day waiting period and after is also used by the parties to negotiate a settlement. Matters such as custody, visitation, child support, property ownership, spousal support (alimony), and division of debts should be decided. In most cases settlements are agreed upon through this negotiation process and approved by the Court at a final hearing.

If the parties cannot reach an agreement, a Pre-Trial Conference is scheduled. The parties and their lawyers (if any) meet with court personnel or a judge to determine which issues the court will resolve. A trial will be scheduled sometime after the conference and at least 90 days after the petition was filed. Divorce cases are heard by a judge without a jury. Most of the time these trials are closed to the public.

## **What is Mediation?**

Mediation is when a neutral third person agrees to help the spouses work out an agreement. It is used when the spouses can't agree on custody or how to divide property, etc. The court can require the spouses to take part in mediation if the judge thinks it will help resolve their differences. A spouse can also request it. However, if there is a history of domestic abuse, the court can't order mediation. The law is starting to favor mediation more and more. The Court will often require parties to go through mediation or some type of settlement conference before granting the divorce. They want to give the parents every chance to work differences out before they actually go to trial.

## **What If There Is A Child But The Husband Is Not The Father?**

In Iowa a child born to the wife during the marriage is by law the child of the husband. This is also true if the wife is pregnant. You may know that the husband is not the father. You can "disestablish" the husband as the father of the child. You can do this in a divorce. You will probably need a lawyer to help you. For same sex couples, the law is not clear on how a child of the marriage will be treated.

## **What is the “Mandatory Child Education Course?”**

A divorce can be hard on children. The law says parents must take part in a special class. The purpose is to “educate and sensitize” parents on the needs of the children. A final decree will not be granted unless the parents attend the class. Agencies in various places offer the class on a regular basis for a small fee. The requirement may be waived only under limited circumstances, such as if the parties already took part in a similar class.

## **How Does the Court Decide Child Custody?**

Above all, the Court’s custody decision will consider what is best for the child or in the best interests of the child. The court wants to know which parent is best able to meet the needs of the child. It is also important which parent is best able to put the child’s interests above the parent’s own interest. The court must decide two different kinds of custody. One is legal custody and the other is physical custody. Different types or kinds of custody are listed below.

## **What is Legal Custody?**

Legal custody is the right to ask questions and make decisions about important matters concerning minor children. The judge can decide that the parents have joint legal custody or that only one parent has sole legal custody.

Joint legal custody is common. The other alternative is sole legal custody which is used when the parents cannot communicate or it may be dangerous for them to communicate. Then only one parent has the right to make decisions. Having legal custody does not mean that a parent has the right to have the child live with that parent. The court decides a separate issue about who the child will live with, called physical care or custody.

## **What Is Joint Legal Custody?**

In Iowa, the laws on custody favor joint custody unless there is a history of domestic abuse. Joint legal custody gives both parents the right to participate in decision making about a child’s education, health care, school, religious instruction and other similar issues. Joint legal custody is common. Joint legal custody does not require joint physical care. One parent may be awarded physical care while the other has visitation rights. The idea is to give the children maximum physical and emotional contact with both parents. It also encourages both parents to continue to share the rights and responsibilities that go along with raising children.

Joint legal custody may be ordered even if the parents don’t want it. (See “What is Sole Custody?” below.)

## **What Is Sole Custody?**

If a judge believes it will be better for the child to have one parent making the decisions about the children, then the judge will award that parent sole custody. When this happens, the court must cite clear and convincing evidence that joint custody is unreasonable and not in the best interest of the child.

Also, if there has been a history of domestic abuse, the court cannot automatically award joint custody. The law assumes joint custody is not best in these situations. “History of domestic abuse” can mean any of the following:

- Starting an action under the Domestic Abuse Act to obtain a protective order.
- The issuance of a protective order.
- The police have been called to the scene of alleged domestic abuse.
- An arrest or conviction for domestic assault.
- Unless the presumption against joint custody is overcome (shown not to be valid), sole custody will be awarded.
- A parent who has sole custody of the children has complete responsibility for decisions affecting the child’s welfare. This includes such matters as medical care, education, activities, and religious instruction.

## **What Factors Might Be Considered by the Court In Awarding Sole Custody?**

- Whether each parent is suited to raise the child.
- Whether the child will suffer emotionally/psychologically due to lack of contact with both parents.
- Whether the parents can communicate with each other regarding the needs of the child.
- Whether both parents have actively cared for the child before and after they separated.

- Whether each parent can support and foster the other parent’s relationship with the child.
- The child’s wishes about custody.
- Whether one or both parents agree or disagree about joint custody.
- How far apart the parents live.
- Whether the child or the other parent will be safe if joint custody is awarded.
- Whether there is a history of domestic abuse in the relationship.

## **What is Physical Custody or Care?**

The judge will decide the physical custody or care of the child. The judge can decide that one parent will have the child most of the time (primary physical care). The judge could also decide that the child will split time between both parents (joint physical care).

## **What is Joint Physical Care?**

Joint physical care means both parents have rights and responsibilities to maintain a home for the child. Neither parent will have physical care rights superior to those of the other parent. Some people call this “shared parenting” or “shared custody” because each parent tends to spend about the same amount of time with the child. The law says if joint legal custody is awarded to both parents, the court may award joint physical care to both parents if either parent requests it. Prior to ruling on the request, the court may require each parent to submit a proposed joint physical care parenting plan. The plan should tell how the parents will decide to divide time with the child. It should explain how the parents will resolve disputes. If the court denies the request for joint physical care, the court’s decision must include specific findings and conclusions showing why joint physical care is not in the best interests of the child.

Either parent can ask for joint physical care. The Iowa Supreme Court has said that several factors have to be considered when deciding about joint physical care:

1. The amount of time that both parents have spent with the children. If the time is about equal, that would make it more likely that joint physical care would be ordered.
2. The ability of parents to communicate and show mutual respect. If one parent shows controlling behavior or there is evidence of domestic abuse, it is less likely that joint physical care would be ordered.
3. The degree of conflict between parents. It will be less likely that joint physical care is awarded if one parent objects or if there is a history of conflict.
4. The ability of parents to agree about approaches to daily matters. If the parents cannot agree about things like discipline and education, it is less likely that joint physical care will be ordered.

Joint physical care may have an impact on child support, public benefits and tax issues.

## **How Does the Court Decide Who the Child Will Live With or Who Will Have Primary Physical Care?**

If joint physical care is not an option, the judge must decide which parent will have primary physical care. The court looks at many factors in deciding who will have primary physical care. It is hard to say which factors are most important to the court. The factors the court looks at are:

- Characteristics of the child such as the child’s age, maturity, mental and physical health.
- Emotional, social, moral, material and educational needs of the child.
- Characteristics of each parent including age, stability, mental and physical health, and character.
- The interest and ability of each parent to provide for the emotional, social, material and educational needs of the child.
- The relationship between each parent and the child.
- Relationship between the child and any brothers or sisters of the family.
- What effect there will be on the child if the court continues or changes current custody arrangement.

- The home environment that the child will be living in. For example, the court may look at whether one party moves frequently from one home to another, while the other party has lived at the same place for a longer period of time.
- Where the child wants to live. How much weight the court gives this factor depends on how old and mature the child is.
- The report and recommendation of either an independent person who investigated both parties concerning who should get primary physical care, or a lawyer representing the child's interests.
- Any other options available for physical care.
- Whether awarding custody to one parent would separate siblings.
- A parent's immoral behavior that is shown to adversely affect the child.
- A parent's substance abuse or if the parent is inclined to be violent or abusive.
- Any other important information that was given to the court.

## **What If the Children Have Strong Feelings about Who They Want to Live With?**

A court may consider the wishes of a child who is quite mature. But the Court, not the child, makes the final decision.

## **Are Children Ever Placed with Someone Other Than Their Parents?**

A court can award custody to a third party if that arrangement is in the child's best interest. When this happens, the third party must prove to the Court that the parents are unsuitable and unfit.

## **What if There are Doubts About Whether the Husband is the Biological Father of the Children?**

Husbands are automatically presumed to be the father of any child born or conceived while married to the child's mother. This is true even if the spouses have been separated for a long time or if the mother admits having an "affair." In a divorce, the husband can then be ordered to pay child support or be awarded custody/visitation rights for the child. If a spouse believes the husband is not the father, they should tell the court this right away. The divorce law provides a specific procedure to "overcome paternity" during a divorce. It is much easier to take care of this problem during a divorce than to wait until later. For more information on how to overcome paternity, see Iowa Legal Aid's booklet *Paternity and Child Support Law in Iowa*. For same sex couples, the law is not clear about who will be considered a parent.

## **Does the Non-custodial Parent Always Have Visitation Rights?**

Not always but almost always. While the one parent may be awarded physical care of the child, the other (noncustodial) parent is almost always awarded visitation rights. The reason for this is it generally benefits a child to have an ongoing relationship with both parents. If the court believes that such visitation will not be in the child's best interest, then a party's right of access to a child may be denied, but is rare. Even parents who have physically or sexually abused their children may get supervised visits. The law does say that the Court shall consider the criminal history of the parent if the parent has been convicted of a criminal offense against a minor. Also, if a parent has been convicted of murdering the other parent, they will probably not have visitation.

A party who is awarded visitation can expect a number of safeguards from the court. The custodial parent cannot simply cut off visitation rights if the noncustodial parent fails to pay support. Also, courts will not approve or enforce arrangements between parties where one parent gives up visitation rights in order to get out of paying child support. It is fairly common for decrees to state a parent is entitled to "reasonable visitation." If this happens, the parent with physical custody usually has a lot of say over what is "reasonable." While it is best that the divorce decree be specific in regard to visitation, a noncustodial parent may still arrange for visitation even where there is no mention of visitation in the decree. If "extraordinary visitation" is agreed to, or ordered, this will impact the amount of child support.

A typical visitation schedule would be every other weekend, every other holiday, and 2-4 weeks in the summer.

It is assumed that children benefit from frequent contact with both parents. Unless children are in danger while with the other parent, it is best for the custodial parent to not interfere with visitation. It is better to be flexible and to work out visitation whenever possible. If the court orders visitation, it is important that the custodial parent comply with the visitation.

Finally, in a split custody arrangement (one child lives with mom; one lives with dad), the court may order visitation between the children.

## **What If a Noncustodial Parent Has More Than Ordinary Visitation?**

A noncustodial parent who has “extraordinary visitation” (more than 127 overnights per year) may have his or her child support lowered. This type of visitation must be court ordered if it is to change child support.

## **Can Grandparents or Great Grandparents Get Visitation Rights?**

Grandparents and great grandparents can only petition the court for visitation rights in one very limited situation. The law says that a grandparent can only ask for visitation if the grandparent’s child, who is the parent of the minor child, is deceased. In addition, the court has to give strong consideration to a fit parent’s decision about grandparent visitation. The court must generally follow that decision unless there are strong reasons to the contrary. The grandparent must show that the parent is not fit to make the decision. The grandparent must show that the grandparent and child have a substantial relationship. It must also be in the best interest of the child to have the visitation.

## **How Does the Court Award Child Support?**

The Court will order child support to be paid by the person not receiving physical custody of the children. The Court must follow certain Guidelines (set up by the Iowa Supreme Court) to decide how much support should be paid. These Guidelines take into account each parent’s monthly net income. They also factor in the number of children. Generally support will be based on the combined net monthly incomes of both parents. Based on that combined income amount, a total amount of monthly child support is found on the child support schedule. The noncustodial parent’s share of that monthly amount is determined by multiplying the support schedule amount by the noncustodial parent’s proportional share of the total parental income. For example, a couple getting a divorce has one child who will be living with Mom. Dad’s net income is \$1600 a month, and Mom’s is \$400 a month. The total parental net income is \$2000 a month. Applying the Guidelines, the total support amount is \$490. Dad’s net income is 80% of the parental income. Dad’s support amount is  $\$490 \times .8 = \$392$ . There may be an additional adjustment for health insurance or medical costs.

For low income obligors, only the noncustodial parent’s income is counted. For example, if the noncustodial parent’s adjusted net income is \$1000 per month and there is one child, then the noncustodial parent’s child support obligation is \$95.

Net income is the money left after taxes, Social Security, child care expenses, prior child support obligations being paid, actual medical support paid pursuant to an order, and actual child care expenses paid while the custodial parent is employed are deducted. It is also important to note that public assistance payments are specifically excluded from the definition of income under the Guidelines. Also, a reduction of up to 25% of the guidelines amount is made when extraordinary visitation is granted.

A child support estimator can be found at <https://secureapp.dhs.state.ia.us/childsupport/guidelines.asp>

- Click on the “Support Guidelines” tab
- On that web page, click “Child Support Estimator” and fill out the form to figure out child support.

A copy of the first four pages of the Guidelines is in the back of this booklet.

These Guidelines will be applied in every case unless the Court finds special circumstances which make it unfair to use them. The Court must make a written finding as to why the Guidelines are not being followed.

A party’s support obligation extends only to natural or adopted children until the children are no longer minors. In Iowa, children who turn 18 are no longer minors. However, support must continue to age 19 if a child is still in high school and can be expected to graduate before turning 19. Support can continue for a child of any age if they are dependent due to a physical or mental disability. In 1997, the law was changed to allow a “post secondary education subsidy” under certain circumstances. The subsidy is paid directly to the child or the school they attend. The child must earn good grades in order to keep getting the subsidy. The amount of the subsidy depends on the financial condition of the parents and the child.

If the parents have been separated for a while, there may already be a child support order in place through the Child Support Recovery Unit. It is important to notify CSRU of the divorce, especially if the decree sets a different amount for support. The divorce will not automatically change the CSRU order. CSRU will enforce the order which is highest. Legal Aid has a booklet Paternity and Child Support Law in Iowa if you have more questions.

## **What Financial Information Will the Court Want?**

Both parties are required by the Court to make a true and complete statement of their financial status. In addition to details on current income and expenses, each party must list his/her property. This includes cars, real estate, cash value of life insurance policies, cash and bank accounts, household contents, investments, pension or retirement plans, and other property.

This is called a “Financial Affidavit.” It must be filed before the divorce hearing, unless both parties agree that it does not have to be filed. Parties who want alimony will generally not be able to waive financial information. The Court must be aware of the parties’ finances to make a decision on alimony.

## **How Will the Court Divide the Marital Property?**

The standard for how to split up property in Iowa is that it must be divided “equitably.” This means it must be fair under the circumstances. Equitable does not always mean each party will get half of the property, unless giving each half is the fairest solution after considering all factors.

The Court will consider more than just income and expenses to create a fair division of property. Listed below are some of the areas the court considers when dividing the property:

- The length of the marriage.
- The age and physical and emotional health of the parties.
- How much each party contributes to the marriage, including what each party pays towards homemaking.
- The property brought to the marriage by each party.
- How much one party contributes to the education, training or increased earning power of the other.
- How much each party is able to earn.

The court will also consider other economic factors for each party. For example, a pension fund brought into the marriage may end up being an asset to be divided. Gifts received by either party should continue to be separate property unless it would be unfair to consider them as such. Gifts given to the parties jointly are subject to division, just like all of the other marital assets.

The property settlement is final once a divorce decree is entered. A property settlement can be challenged within one year of the entry of the decree, but only where one party deceived the other, or threatened the other with harm to force an agreement, or where there was a mistake. (Alimony payments may be changed in the future, however.)

## **Will the Court Order Spousal Support (Alimony)?**

The Court may order alimony payments to either party. Alimony is not a right or automatic. Generally, alimony is hard to get. The Court will look at many of the same concerns mentioned earlier under property. Other factors include:

- Whether or not the party asking for support can become self-supporting at a standard of living close to that enjoyed during the marriage.
- What property has been awarded to the spouse asking for support.
- Any tax consequences to each party.
- Any agreement made by the parties on their finances or services.

The Court will take into account anything else that matters in this particular case. It is important to note that if alimony is not included in the original decree, it will not be possible to have it added later.

Alimony can be ordered for a specific period of time (for example, three years) or until the recipient spouse dies or remarries. In some situations, living with someone else may be enough to stop alimony payments. Some people have argued that this is the same as being remarried.

## **What Is a “COLA?”**

COLA stands for “cost-of-living adjustment.” In five years prices for basic necessities such as food and clothing will probably be higher. You may want to include terms for a cost-of-living increase. This is an automatic adjustment for alimony payments as costs rise from year to year.

# **AFTER THE DIVORCE**

## **What If a Party Ignores an Order or the Final Decree?**

Sometimes a party fails to pay support, turn over property, or disobeys another order within the decree. When this happens, the other party may bring a contempt action to try and get the uncooperative party to obey the Court's orders. Also, parties who fail to comply with court orders may be given a jail sentence, or be deprived of some right that was awarded in the divorce decree.

There is a court fee of \$50 to file a contempt.

## **Can We Change the Final Decree Later?**

Certain terms within a divorce decree (custody, child support or alimony) can change in the future if the party who asks the court to modify the orders can show a substantial change in circumstances. The court knows that reasonable and ordinary changes are likely to occur. So this change must be one that the trial court had no knowledge of at the time of the original decree. Also the change must be permanent and not temporary.

## **Change in Alimony**

In most cases, if the spouse who gets alimony remarries, a court will end that person's right to alimony. Also, alimony can only be increased if the original decree awards alimony. If the original decree does not mention alimony, or if it states that no alimony will be awarded, then alimony cannot be ordered later. For this reason, some decrees will order alimony of \$1.00 per month, just so that the right to it isn't lost and the amount can be increased later. Generally, if the spouse getting alimony payments remarries, these payments will end. Sometimes a spouse does not remarry but has a long-term relationship with someone. This may be enough to stop alimony if it is like a marriage relationship.

## **Change in Child Support**

If a party asks the court to change the child support order, the court will look at each parent's earnings. If the order for child support varies by ten percent or more from the amount which would be due under the child support guidelines, the court will consider it to be a substantial change in circumstance. Most of the time remarriage alone is not a good enough reason for the court to change child support payments. The reason is that at the time of the original decree, the court knows remarriage could happen. Also, reductions in income must be involuntary. A parent will usually not be allowed to lower their support payments if they quit a high-paying job and took one that pays less in order to lower his or her support obligation.

Sometimes, the party paying child support wants to reduce the payments while the children are visiting him/her. The courts do not allow this because the custodial parent has household costs even while the children are away.

## **Change in Child Custody**

A court will not change the custody of a child unless convincing reasons for such change can be shown. The reason for this is because children benefit from stability. They get used to their surroundings, come to expect certain routines, and become attached to their primary caretaker. Again, in a modification action, the basis of the Court's decision is what is best for the child.

So long as a custodial parent is caring for the child's social, moral, and educational needs, a court will be reluctant to change custody. The requesting party would have to make a superior claim based on his/her ability to more effectively care for the needs of the child.



# IOWA SCHEDULE OF BASIC SUPPORT OBLIGATIONS

1. Except as provided in 2, only the noncustodial parent's income is used in the shaded area in accordance with the low-income adjustment. The parents' combined incomes are used in the remaining (non-shaded) area of the schedule.
2. In joint (equally shared) physical care cases, regardless whether a parent is low income, use the parents' combined incomes in the shaded and non-shaded areas of the schedule.
3. For combined net monthly incomes above \$20,000, the amount of the basic support obligation is deemed to be within the sound discretion of the court or the agency fixing support by administrative order but shall not be less than the basic support obligation for combined net monthly incomes equal to \$20,000.

Combined Adjusted Net Income Based on New Rules			One Child	Two Children	Three Children	Four Children	Five or More Children
0	-	100	10	20	30	35	40
101	-	200	10	20	30	35	40
201	-	300	20	30	30	45	50
301	-	400	30	40	40	55	60
401	-	500	40	50	50	65	70
501	-	600	50	60	70	75	80
601	-	700	60	70	80	85	90
701	-	800	70	80	90	95	100
801	-	850	80	90	100	105	110
851	-	900	85	95	105	110	115
901	-	950	90	100	110	115	120
951	-	1000	95	105	120	130	145
1001	-	1050	120	135	153	163	178
1051	-	1100	145	165	185	195	210
1101	-	1150	170	195	218	228	243
1151	-	1200	195	225	250	260	275
1201	-	1250	220	255	283	293	308
1251	-	1300	245	285	315	325	340
1301	-	1350	270	315	348	358	373
1351	-	1400	295	345	380	390	405
1401	-	1450	320	375	413	423	438
1451	-	1500	345	405	445	455	470
1501	-	1550	370	435	478	488	503
1551	-	1600	395	465	510	520	535
1601	-	1650	406	495	543	553	568
1651	-	1700	418	525	575	585	600
1701	-	1750	430	555	608	618	633

<b>Combined Adjusted Net Income Based on New Rules</b>			<b>One Child</b>	<b>Two Children</b>	<b>Three Children</b>	<b>Four Children</b>	<b>Five or More Children</b>
1751	-	1800	442	585	640	650	665
1801	-	1850	454	615	673	683	698
1851	-	1900	466	645	705	715	730
1901	-	1950	478	675	738	748	763
1951	-	2000	490	705	770	780	795
2001	-	2050	502	727	803	813	828
2051	-	2100	514	744	835	845	860
2101	-	2150	526	761	868	878	893
2151	-	2200	538	778	900	910	925
2201	-	2250	550	795	933	943	958
2251	-	2300	562	813	957	975	990
2301	-	2350	574	831	978	1000	1023
2351	-	2400	586	848	999	1021	1045
2401	-	2450	598	866	1020	1043	1067
2451	-	2500	610	883	1041	1064	1089
2501	-	2550	622	901	1061	1086	1111
2551	-	2600	634	919	1082	1107	1133
2601	-	2650	647	936	1103	1129	1155
2651	-	2700	659	954	1124	1150	1177
2701	-	2750	671	971	1145	1172	1199
2751	-	2800	683	989	1166	1193	1221
2801	-	2850	695	1007	1186	1215	1243
2851	-	2900	707	1024	1207	1236	1265
2901	-	2950	717	1038	1223	1258	1287
2951	-	3000	726	1051	1237	1279	1309
3001	-	3050	736	1064	1251	1301	1331
3051	-	3100	745	1076	1265	1322	1353
3101	-	3150	754	1089	1279	1344	1375
3151	-	3200	764	1102	1294	1365	1397
3201	-	3250	773	1115	1308	1387	1419
3251	-	3300	782	1127	1322	1408	1441
3301	-	3350	792	1140	1336	1430	1463
3351	-	3400	798	1149	1347	1451	1485
3401	-	3450	803	1157	1357	1473	1507
3451	-	3500	809	1166	1367	1494	1529
3501	-	3550	815	1174	1377	1516	1551
3551	-	3600	820	1183	1387	1537	1573
3601	-	3650	826	1191	1397	1559	1595
3651	-	3700	832	1200	1408	1572	1617
3701	-	3750	837	1208	1418	1584	1639
3751	-	3800	843	1216	1428	1595	1661

<b>Combined Adjusted Net Income Based on New Rules</b>			<b>One Child</b>	<b>Two Children</b>	<b>Three Children</b>	<b>Four Children</b>	<b>Five or More Children</b>
<b>3801</b>	-	<b>3850</b>	<b>849</b>	<b>1225</b>	<b>1438</b>	<b>1606</b>	<b>1683</b>
<b>3851</b>	-	<b>3900</b>	<b>855</b>	<b>1233</b>	<b>1447</b>	<b>1616</b>	<b>1705</b>
<b>3901</b>	-	<b>3950</b>	<b>861</b>	<b>1242</b>	<b>1457</b>	<b>1627</b>	<b>1727</b>
<b>3951</b>	-	<b>4000</b>	<b>867</b>	<b>1250</b>	<b>1466</b>	<b>1638</b>	<b>1749</b>
<b>4001</b>	-	<b>4050</b>	<b>874</b>	<b>1259</b>	<b>1476</b>	<b>1649</b>	<b>1771</b>
<b>4051</b>	-	<b>4100</b>	<b>880</b>	<b>1267</b>	<b>1486</b>	<b>1659</b>	<b>1793</b>
<b>4101</b>	-	<b>4150</b>	<b>886</b>	<b>1276</b>	<b>1495</b>	<b>1670</b>	<b>1815</b>
<b>4151</b>	-	<b>4200</b>	<b>892</b>	<b>1284</b>	<b>1505</b>	<b>1681</b>	<b>1837</b>
<b>4201</b>	-	<b>4250</b>	<b>898</b>	<b>1292</b>	<b>1514</b>	<b>1691</b>	<b>1859</b>
<b>4251</b>	-	<b>4300</b>	<b>902</b>	<b>1297</b>	<b>1518</b>	<b>1695</b>	<b>1865</b>
<b>4301</b>	-	<b>4350</b>	<b>905</b>	<b>1301</b>	<b>1522</b>	<b>1700</b>	<b>1870</b>
<b>4351</b>	-	<b>4400</b>	<b>909</b>	<b>1305</b>	<b>1526</b>	<b>1704</b>	<b>1875</b>
<b>4401</b>	-	<b>4450</b>	<b>912</b>	<b>1310</b>	<b>1530</b>	<b>1709</b>	<b>1880</b>
<b>4451</b>	-	<b>4500</b>	<b>916</b>	<b>1314</b>	<b>1534</b>	<b>1714</b>	<b>1885</b>
<b>4501</b>	-	<b>4550</b>	<b>919</b>	<b>1318</b>	<b>1538</b>	<b>1718</b>	<b>1890</b>
<b>4551</b>	-	<b>4600</b>	<b>923</b>	<b>1323</b>	<b>1542</b>	<b>1723</b>	<b>1895</b>
<b>4601</b>	-	<b>4650</b>	<b>926</b>	<b>1327</b>	<b>1546</b>	<b>1727</b>	<b>1900</b>
<b>4651</b>	-	<b>4700</b>	<b>930</b>	<b>1332</b>	<b>1551</b>	<b>1732</b>	<b>1906</b>
<b>4701</b>	-	<b>4750</b>	<b>935</b>	<b>1338</b>	<b>1558</b>	<b>1740</b>	<b>1914</b>
<b>4751</b>	-	<b>4800</b>	<b>939</b>	<b>1344</b>	<b>1565</b>	<b>1749</b>	<b>1923</b>
<b>4801</b>	-	<b>4850</b>	<b>944</b>	<b>1351</b>	<b>1573</b>	<b>1757</b>	<b>1932</b>
<b>4851</b>	-	<b>4900</b>	<b>948</b>	<b>1357</b>	<b>1580</b>	<b>1765</b>	<b>1941</b>
<b>4901</b>	-	<b>4950</b>	<b>953</b>	<b>1364</b>	<b>1587</b>	<b>1773</b>	<b>1950</b>
<b>4951</b>	-	<b>5000</b>	<b>958</b>	<b>1370</b>	<b>1594</b>	<b>1781</b>	<b>1959</b>
<b>5001</b>	-	<b>5050</b>	<b>962</b>	<b>1376</b>	<b>1602</b>	<b>1789</b>	<b>1968</b>
<b>5051</b>	-	<b>5100</b>	<b>967</b>	<b>1383</b>	<b>1609</b>	<b>1797</b>	<b>1977</b>
<b>5101</b>	-	<b>5150</b>	<b>971</b>	<b>1389</b>	<b>1616</b>	<b>1805</b>	<b>1986</b>
<b>5151</b>	-	<b>5200</b>	<b>976</b>	<b>1395</b>	<b>1623</b>	<b>1813</b>	<b>1995</b>
<b>5201</b>	-	<b>5250</b>	<b>981</b>	<b>1402</b>	<b>1631</b>	<b>1822</b>	<b>2004</b>
<b>5251</b>	-	<b>5300</b>	<b>985</b>	<b>1408</b>	<b>1638</b>	<b>1830</b>	<b>2013</b>
<b>5301</b>	-	<b>5350</b>	<b>990</b>	<b>1415</b>	<b>1645</b>	<b>1838</b>	<b>2022</b>
<b>5351</b>	-	<b>5400</b>	<b>995</b>	<b>1422</b>	<b>1653</b>	<b>1847</b>	<b>2031</b>
<b>5401</b>	-	<b>5450</b>	<b>1000</b>	<b>1429</b>	<b>1661</b>	<b>1856</b>	<b>2041</b>
<b>5451</b>	-	<b>5500</b>	<b>1006</b>	<b>1436</b>	<b>1669</b>	<b>1865</b>	<b>2051</b>
<b>5501</b>	-	<b>5550</b>	<b>1011</b>	<b>1444</b>	<b>1678</b>	<b>1874</b>	<b>2061</b>
<b>5551</b>	-	<b>5600</b>	<b>1016</b>	<b>1451</b>	<b>1686</b>	<b>1883</b>	<b>2071</b>
<b>5601</b>	-	<b>5650</b>	<b>1022</b>	<b>1458</b>	<b>1694</b>	<b>1892</b>	<b>2081</b>
<b>5651</b>	-	<b>5700</b>	<b>1027</b>	<b>1465</b>	<b>1702</b>	<b>1901</b>	<b>2091</b>
<b>5701</b>	-	<b>5750</b>	<b>1032</b>	<b>1473</b>	<b>1710</b>	<b>1910</b>	<b>2101</b>
<b>5751</b>	-	<b>5800</b>	<b>1038</b>	<b>1480</b>	<b>1718</b>	<b>1919</b>	<b>2111</b>
<b>5801</b>	-	<b>5850</b>	<b>1043</b>	<b>1487</b>	<b>1726</b>	<b>1928</b>	<b>2121</b>

<b>Combined Adjusted Net Income Based on New Rules</b>			<b>One Child</b>	<b>Two Children</b>	<b>Three Children</b>	<b>Four Children</b>	<b>Five or More Children</b>
5851	-	5900	1048	1495	1734	1937	2131
5901	-	5950	1054	1502	1742	1946	2141
5951	-	6000	1059	1509	1750	1955	2151
6001	-	6050	1064	1516	1759	1964	2161
6051	-	6100	1069	1524	1767	1974	2171
6101	-	6150	1074	1531	1776	1983	2182
6151	-	6200	1079	1538	1784	1993	2192
6201	-	6250	1084	1545	1793	2002	2202
6251	-	6300	1090	1553	1801	2012	2213
6301	-	6350	1095	1560	1809	2021	2223
6351	-	6400	1100	1567	1818	2031	2234
6401	-	6450	1105	1574	1826	2040	2244
6451	-	6500	1110	1582	1835	2049	2254
6501	-	6550	1115	1589	1843	2059	2265
6551	-	6600	1120	1596	1852	2068	2275
6601	-	6650	1125	1603	1860	2078	2286
6651	-	6700	1130	1611	1868	2087	2296
6701	-	6750	1135	1618	1876	2096	2305
6751	-	6800	1140	1625	1884	2104	2315
6801	-	6850	1145	1631	1892	2113	2324
6851	-	6900	1150	1638	1900	2122	2334
6901	-	6950	1155	1645	1907	2130	2343
6951	-	7000	1160	1652	1915	2139	2353
7001	-	7050	1166	1659	1923	2148	2363
7051	-	7100	1171	1666	1931	2156	2372
7101	-	7150	1176	1673	1938	2165	2382
7151	-	7200	1181	1680	1946	2174	2391
7201	-	7250	1186	1687	1954	2182	2401
7251	-	7300	1191	1694	1962	2191	2410
7301	-	7350	1196	1701	1969	2200	2420
7351	-	7400	1201	1708	1977	2208	2429
7401	-	7450	1206	1715	1985	2217	2439
7451	-	7500	1211	1721	1993	2226	2448
7501	-	7550	1216	1728	2000	2234	2458
7551	-	7600	1221	1736	2009	2244	2468
7601	-	7650	1226	1743	2017	2253	2479
7651	-	7700	1231	1750	2026	2263	2490
7701	-	7750	1236	1758	2035	2273	2500
7751	-	7800	1241	1765	2044	2283	2511
7801	-	7850	1246	1772	2052	2293	2522
7851	-	7900	1251	1780	2061	2302	2533

Iowa Legal Aid offices are normally open Monday through Friday from 8:30 a.m. to 4:30 p.m. Offices are closed on holidays. To apply for help, call Iowa Legal Aid during intake hours: 9:00 to 11:00 a.m. and 1:30 to 3:30 p.m. Emergencies are taken during regular office hours. You may also come to the regional office listed below serving your county but it is helpful to first call for an appointment.

**IOWA LEGAL AID**  
**1111 9th Street, Suite 230**  
**Des Moines, Iowa 50314-2527**  
**Toll-Free Phone: 1-800-532-1275 or call (515) 243-2151**

**Information on Iowa Legal Aid Offices is also available on the Web at:**  
**[iowalegalaid.org](http://iowalegalaid.org)**

**CEDAR RAPIDS REGIONAL OFFICE**

317 7th Avenue, Suite 404  
Cedar Rapids, Iowa 52401-1407  
*SERVING: Benton, Iowa, Linn, Marshall, Poweshiek and Tama Counties*

**SOUTHWEST IOWA REGIONAL OFFICE**

532 1st Avenue, Suite 300  
Council Bluffs, Iowa 51503-0803  
*SERVING: Adams, Audubon, Carroll, Cass, Crawford, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby and Taylor Counties*

**CENTRAL IOWA REGIONAL OFFICE**

1111 9th Street, Suite 380  
Des Moines, Iowa 50314-2527  
*SERVING: Adair, Boone, Clarke, Dallas, Greene, Guthrie, Hamilton, Jasper, Madison, Polk, Story, Union, Warren and Webster Counties*

**NORTHEAST IOWA REGIONAL OFFICE**

799 Main Street, Suite 280  
Dubuque, Iowa 52001-6825  
*SERVING: Allamakee, Clayton, Delaware, Dubuque, Fayette, Jackson, Jones and Winneshiek Counties*

**IOWA CITY REGIONAL OFFICE**

1700 South 1st Avenue, Suite 10  
Iowa City, Iowa 52240-1810  
*SERVING: Cedar, Des Moines, Henry, Johnson, Louisa, Muscatine and Washington Counties*

**NORTH CENTRAL IOWA REGIONAL OFFICE**

600 1st Street NW, Suite 103  
Mason City, Iowa 50401-2947  
*SERVING: Calhoun, Cerro Gordo, Emmet, Floyd, Franklin, Hancock, Humboldt, Kossuth, Mitchell, Palo Alto, Pocahontas, Winnebago, Worth and Wright Counties*

**SOUTHEAST IOWA REGIONAL OFFICE**

112 East 3rd Street  
Ottumwa, Iowa 52501-2903  
*SERVING: Appanoose, Davis, Decatur, Jefferson, Keokuk, Lee, Lucas, Mahaska, Marion, Monroe, Van Buren, Wapello and Wayne Counties*

**NORTHWEST IOWA REGIONAL OFFICE**

520 Nebraska Street, Suite 337  
Sioux City, Iowa 51101-1315  
*SERVING: Buena Vista, Cherokee, Clay, Dickinson, Ida, Lyon, Monona, O'Brien, Osceola, Plymouth, Sac, Sioux and Woodbury Counties*

**WATERLOO REGIONAL OFFICE**

607 Sycamore Street, Suite 206  
Waterloo, Iowa 50703-4799  
*SERVING: Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Grundy, Hardin and Howard Counties*

**HELP LEGAL ASSISTANCE**

736 Federal Street, Suite 1401  
Davenport, Iowa 52803-5723  
(563) 322-6216  
*SERVING: Scott and Clinton Counties*

Iowa Legal Aid is committed to providing quality legal services to eligible low-income people. However, due to limits placed on our program, we cannot help every person who applies for service. Complaint procedures have been established for clients and members of the general public who disagree with Iowa Legal Aid decisions. For a detailed copy of our complaint procedures, contact any Iowa Legal Aid office.



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