Rule 17.200—Form 201: *Petition for Dissolution of Marriage with Children*

Read the *Guide to Representing Yourself in an Iowa Divorce Case with Children* on the Iowa Judicial Branch website before using this form.

Petitioner: Use this form only if your spouse lives in Iowa or you have lived in Iowa for the last year before you file the Petition, and one or more of the following are true:

- There are children under age 18 who are children of both Petitioner and Respondent.
- There are children under age 18 who were born or adopted during this marriage.
- There are children over age 18 who still need support.
- A spouse is pregnant.

Do not use this form if all of these are true (instead, use form 101):

- You and your spouse do not have children under age 18.
- You and your spouse do not have children age 18 or over who still need support.
- A spouse is not pregnant.

If filing electronically, you must provide any protected information in full on form 211.

If filing in paper, you may use form 211 to provide any protected information in full.

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 you are filing this Petition

In Re the Marriage of:

Your current legal name	*Your spouse's current legal name*
Upon the Petition of **Petitioner** *Full name: first, middle, last* *The spouse who files the Petition* and concerning **Respondent** *Full name: first, middle, last* *The other spouse*	*For clerk's use only* **Petition for Dissolution of Marriage with Children**

1. Personal Information

Fill in all information that you know. If you have been assaulted by your spouse and you fear for your safety, you may leave your street address, phone number, and email blank.

A. Petitioner's (your) birth year and present residence: _____

Birth year

Petitioner's present street address	*City*	*State*	*ZIP code*
County	(_____) _____ *Phone number*	*Email address*	

Continued on next page

If you need assistance to participate in court due to a disability, contact the disability coordinator at: (_____) _____ Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.** Disability coordinator contact information available at: http://www.iowacourts.gov/Administration/Directories/ADA_Access/ .

B. Respondent's (your spouse's) birth year and present residence: _____
Birth year

_____ _____ _____ _____
Respondent's present street address *City* *State* *ZIP code*

_____ (_____) _____ _____
County *Phone number* *Email address*

C. Other person, if any, who has visitation or custody rights of the parties' children:
Fill in as much information as you know.

_____
Full name: first, middle, last

_____ _____ _____ _____
Present street address *City* *State* *ZIP code*

_____ (_____) _____ _____
County *Phone number* *Email address*

2. General Information About the Marriage and the Parties

A. Date and location of the marriage

_____ _____, _____ _____ _____
Month *Day* *Year* *City* *State*

B. Children
Check all that are true

(1) ☐ There are children under age 18 who are children of both Petitioner and Respondent.

(2) ☐ There are children under age 18 who were adopted or born during this marriage.
This includes any child born to a spouse during the marriage, but for whom the other spouse is not a parent.

(3) ☐ There are children 18 years or older who still need support.

(4) ☐ Petitioner or Respondent is pregnant.

C. Identification of children

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 separate sheet listing additional children.*

D. Children's living arrangements
Places where the children have lived during the last five years and the parent(s) or adult(s) who acted as parent(s): *Fill in as much information as you know.*

(1) Children: _____ _____ _____ _____ _____
Initials *Initials* *Initials* *Initials* *Initials*

Lived with _____ from ____ /____ / _____ to ____ /____ / _____
Adult name *mm* *dd* *yyyy* *mm* *dd* *yyyy*

At _____ _____
City *State*

(2) Children: _____ _____ _____ _____ _____
Initials *Initials* *Initials* *Initials* *Initials*

Lived with _____ from ____ /____ / _____ to ____ /____ / _____
Adult name *mm* *dd* *yyyy* *mm* *dd* *yyyy*

At _____ _____
City *State*

(3) Children: _____ _____ _____ _____ _____
Initials *Initials* *Initials* *Initials* *Initials*

Lived with _____ from ____ /____ / _____ to ____ /____ / _____
Adult name *mm* *dd* *yyyy* *mm* *dd* *yyyy*

At _____ _____
City *State*

(4) Children: _____ _____ _____ _____ _____
Initials *Initials* *Initials* *Initials* *Initials*

Lived with _____ from ____ /____ / _____ to ____ /____ / _____
Adult name *mm* *dd* *yyyy* *mm* *dd* *yyyy*

At _____ _____
City *State*

(5) Children: _____ _____ _____ _____ _____
Initials *Initials* *Initials* *Initials* *Initials*

Lived with _____ from ____ /____ / _____ to ____ /____ / _____
Adult name *mm* *dd* *yyyy* *mm* *dd* *yyyy*

At _____ _____
City *State*

☐ *Check this box if you have attached a separate sheet listing additional children.*
If the children have been in Iowa for less than six months, you may be able to get a divorce, but you might not be able to get custody. The rules are complicated and you may need to talk to an attorney.

E. Petitioner's residence

You cannot get a divorce in Iowa if your spouse does not live in Iowa and you have lived in Iowa for less than one year, or if you came to live in Iowa just to get a divorce. If you do not live in Iowa, you can only get a divorce in Iowa if your spouse lives in Iowa.

If you have questions about this, talk to an attorney.

(1) The **only** reason that Petitioner (you are Petitioner) is living in Iowa is just to get a divorce.

◯ True

◯ False *If you do not live in Iowa, or if you live in Iowa for reasons other than just to get a divorce, check* "False."

(2) Petitioner has lived in Iowa for the last _____ years and _____ months in _____ county.

- *If you have always lived in Iowa, count the time since your birth.*
- *If you have been a resident of another state, count the time since you last moved to Iowa.*

F. Parties' residence

If your spouse does not live in Iowa, you must have lived in Iowa for the last year before you may obtain a divorce in Iowa.

Check each that is true

(1) ☐ Petitioner has lived in Iowa for more than one year.

(2) ☐ Respondent (your spouse) is a resident of Iowa.

G. Condition of the marriage

Check all that are true

(1) ☐ The marriage is broken and cannot be saved.

(2) ☐ This is the only divorce case going on involving this marriage.
If you ***did not*** *check* (2)*, explain in* 4*. You should also talk to an attorney.*

(3) ☐ This Petition is being filed in good faith for the purpose of ending the marriage.

(4) ☐ Counseling will not save the marriage. *If counseling may save the marriage, do not check* (4)*.*

H. Respondent's status

Check each that is true

(1) ☐ Respondent (your spouse) is in the military service.
If you check (1)*, there are special rules that may prevent your case from going forward if your spouse is in the military. You should talk to an attorney.*

(2) ☐ Respondent is in prison or jail at _____ in _____.
Name of facility *State*

I. Protective or no contact order

Check one

(1) ◯ There is neither a "protective order" nor a "no contact order" between Petitioner (you) and Respondent (your spouse).

(2) ◯ There is a "protective order" or a "no contact order" between Petitioner and Respondent.
If you check (2)*, fill in the following information:*

a. County and state where the order came from: _____ _____
County *State*

b. Court case number: _____

3. Other Cases About the Children

Check A *or* B

A. ◯ There are no other cases about the children. *If you check* A*, skip to* 4*.*

B. ◯ There are other cases about the children.
If there is an order from out of state about the children, an Iowa court may not be able to issue an order about custody or visitation. The rules are complicated and you may need to talk to an attorney.

If you check B, *fill in the applicable information below.*

(1) Juvenile court

Check a *or* b.

a. ◯ There is no juvenile court case.

b. ◯ There is a juvenile court case.

If you check b, *fill in the following information:*

i. County and state of the juvenile court case: _____ _____
County *State*

ii. Juvenile court case number: _____

Check one

(a) ◯ Concurrent jurisdiction has been granted.

(b) ◯ Concurrent jurisdiction has not been granted.

If the juvenile court has not given concurrent jurisdiction (permission), then child custody cannot be decided in this case. You should talk to an attorney.

(2) Custody order

You might not be able to get custody in Iowa if there is a custody order entered in another state.

Check a *or* b.

a. ◯ There is no custody order.

b. ◯ There is a custody order.

If you check b, *fill in the following information:*

i. County and state where the custody order came from: _____ _____
County *State*

ii. Court case number: _____

(3) Child support order

Check a *or* b.

a. ◯ There is no child support order.

b. ◯ There is a child support order.

If you check b, *fill in the following information:*

i. County and state where the child support order came from: _____ _____
County *State*

ii. Court case number: _____

4. Other Information

All of the basic information you need to tell the court is listed on this form. Provide other information only if you need to explain something.

5. Petitioner's Request

A. Petitioner asks the court to:

Check all that apply. The court will only consider items that are checked.

(1) ☐ End the marriage of Petitioner (you) and Respondent (your spouse).

(2) ☐ Decide custody and visitation.

(3) ☐ Order child support and medical support.

(4) ☐ Order payment of school or college tuition.

(5) ☐ Fairly divide the property and the debts of the parties.

(6) ☐ Order that Respondent pay the court fees.

(7) ☐ Order that Respondent pay for Petitioner's attorney's fees before the divorce is final.
If you check (7)*, you must file form 222.*

(8) ☐ Order that Respondent pay spousal support (alimony) to Petitioner.
If you check (8)*, you must file form 222.*

(9) ☐ Change Petitioner's last name to: _____
Print your former or birth name

Name can only be changed to name on birth certificate or name used immediately prior to the marriage.

(10) ☐ Order counseling to save the marriage.

(11) ☐ Other request: _____

Continued on next page

6. 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*

7. Service Instructions

If Petitioner is filing in paper,

Check one

A. ◯ Petitioner will accept service of documents at the attorney's address listed above; or

B. ◯ Petitioner will accept service of documents in this case at the mailing address below.

8. Oath and Signature

I, _____, have read this Petition, and I certify under penalty
Print your name
of perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Petition 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 applicable*

* *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.*

Important Notice to Petitioner

See next page for instructions for filing a Petition.

Rule 17.200—Form 201: ***Petition for Dissolution of Marriage with Children***

Do not file these instructions

Instructions for Filing a Petition for Dissolution of Marriage with Children

The Iowa Judicial Branch is converting the court system to electronic filing county by county. The electronic filing system is also known as EDMS. To determine if this case is in a county using electronic filing, check the map available on the Iowa Judicial Branch website under eFiling, or call the clerk of court office in your county. If your county accepts electronic filing, **you must file electronically** unless you get permission from the court to file in paper. Contact the clerk of court in your county if you are unable to file electronically.

Filing your Petition electronically

- If you are filing your divorce case in a county that uses electronic filing, you must register to electronically file. For help with registration, *see* the eFiler's User Guide *How to Register Pro Se (Self Represented) for eFiling* on the Iowa Judicial Branch website.
- After you have registered, log in to the electronic filing system to electronically file your dissolution case.
- For help electronically filing your divorce, *see* *How to eFile a New Case*.
- With your Petition, you must also file an Original Notice (204) and a Protected Information Disclosure Form (211).
- You will receive a Notice of Electronic Filing (NEF) when the clerk of court has approved the efiling of your Petition and other documents.
- If there was a problem with your filing, EDMS will send you a Retraction Notice. You can then log in to My Filings, correct the error, and resubmit your filing. For help, *see* *How to Resubmit a Returned Filing*.
- Log in to your eFile account and download and print your Petition and Original Notice so that you can serve it on (deliver it to) your spouse.
- For help finding and downloading your Petition and Original Notice, please *see* *My Filings Reference Guide*.

Filing your Petition in paper

- If the county where you will be filing your Petition does not yet accept electronic filing, you may proceed in paper. If the county does accept electronic filing, you must proceed electronically, unless you have received permission from the court to file in paper.
- With your Petition (201), you must also file a Petition Cover Sheet (202), an Original Notice (204a), and a Confidential Information Form (203).
- Forms 201 and 204a: Make **two** photocopies if you can deliver copies of these forms to your spouse in-person or by mail. Make **three** photocopies if you are going to ask the county sheriff or a civil process server to deliver these forms to your spouse.

  Note about making photocopies: You should make your photocopies before you go to the courthouse to file your papers. It is expensive to make photocopies at the clerk of court office. It is cheaper to make the copies at a business that makes photocopies or at a public library.
- Forms 202 and 203: You do **not** have to make photocopies of these forms.
- Take the original forms you filled in and the photocopies to the clerk of court office in your county. Tell the clerk at the counter you are filing a Petition for a divorce.

- Give the clerk at the counter these forms:
  - 201 Petition for Dissolution of Marriage with Children
  - 202 Coversheet for a Petition for Dissolution of Marriage with Children
  - 203 Confidential Information Form (*Do **not** make copies of this form.*)
  - 204a Original Notice
- Pay the filing fee. If you cannot afford to pay the filing fee, prepare and file form 209.
- The clerk at the counter can tell you the amount of the filing fee. The Iowa legislature sets these fees and periodically raises them, so check with the clerk's office to confirm the current filing fee.
- The clerk of court will sign the Original Notice (204a). You will have to serve this form on (deliver it to) your spouse.
- The clerk at the counter will time-stamp each of the copies (original and photocopies).

Do not file these instructions