



Rule 17.400—Form 428: Settlement Agreement for Custody and Visitation

Use this form only if you and the other parent both agree to the terms of a Settlement Agreement.

Caution: This form may require you to provide protected or sensitive information.

 If filing electronically and you include protected information on this form, fill out or update the Protected Information Disclosure form (411) if you have not already done so.

 If filing in paper, you may use form 411 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 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. _____

**Settlement Agreement for Custody
and Visitation**

1. Personal Information *Fill in all information that you know. If you have been assaulted by the other parent and you fear for your safety, you may leave your address, phone number, and email blank.*

A. Petitioner's birth year and present residence:

Birth year

Petitioner's present street address

City

State

ZIP code

County

(____) _____
Phone number

Email address

B. Respondent's birth year and present residence:

Birth year

Respondent's present street address

City

State

ZIP code

County

(____) _____
Phone number

Email address

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2. Agreements

We agree to the following:

A. Children *Check all that are true*

- (1) We agree to the custody and visitation set out in the Agreed Parenting Plan (form 429).
- (2) We do not agree about custody and visitation. We each filed a Proposed Parenting Plan (430). A parenting plan, either form 429 or form 430, must be provided to the court with the Settlement Agreement.
- (3) We agree that we are the parents of the following children:
Note: If you do not agree regarding who are the legal parents of the children, do not use this form. Use form 427.

	Child (1)	Child (2)	Child (3)	Child (4)	Child (5)	Child (6)
First, middle, & last initials						
Birth year						

- Check this box if you have attached a separate sheet listing additional children.*
- (4) Petitioner has taken the children in the middle course. *Attach certificate*
- (5) Respondent has taken the children in the middle course. *Attach certificate*

B. Financial affidavits *Check one*

- (1) Petitioner or Respondent has filed a Financial Affidavit (424).
If you check (1), check each that is applicable.
 - a. Petitioner has filed a Financial Affidavit. Petitioner certifies that Petitioner has fully disclosed all income and the identity and amount of all expenses and debts.
 - b. Respondent has filed a Financial Affidavit. Respondent certifies that Respondent has fully disclosed all income and the identity and amount of all expenses and debts.
- (2) We are asking that the court not require us to file Financial Affidavits because:

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D. Tax exemption

(1) We ask the court to set the tax deduction as: *Check one for each child*

Child	First, middle, & last initials	Birth year	Parent who should now claim child for tax deduction	Every year	Even years	Odd years
(1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check this box if you are attaching a separate sheet listing additional children.

Note: The parent with custody must sign IRS Form 8332 before the noncustodial parent can take the deduction.

Tax forms are available from the IRS website: <http://www.irs.gov>.

The earned income tax credit is not the same as the tax exemption.

(2) The deduction will start in tax year _____.
Year

E. Health care expenses

We ask the court to set the health care expenses as follows: *Check all that apply*

Petitioner Respondent

- (1) will provide medical support (health insurance).
- (2) will pay the first \$_____ of uncovered medical expenses for the children. After that amount is spent, then uncovered medical expenses will be paid _____% by Petitioner and _____% by Respondent.
- (3) will pay cash medical support in the amount of \$_____ per month.

F. Court fees

Check one

We ask that

- (1) Petitioner will pay all court fees.
- (2) Respondent will pay all court fees.
- (3) Petitioner and Respondent will each pay one-half of the remaining court fees.
- (4) Petitioner and Respondent will each pay one-half of the total court fees.

3. Attorney Help

Check all that apply

A. Petitioner

- (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:

_____ <i>Name of attorney or organization, if any</i>		_____ <i>Attorney's PIN – Ask the attorney</i>		
_____ <i>Business address of attorney or organization</i>		_____ <i>City</i>	_____ <i>State</i>	_____ <i>ZIP code</i>
(_____) _____ <i>Attorney's phone number</i>	(_____) _____ <i>Attorney's fax no. – optional</i>	_____ <i>Attorney's email address – optional</i>		

- (3) A mediator, _____, who is an attorney, helped me
Name of mediator
prepare or fill in this paper, but did not represent me as a party.

B. Respondent

- (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:

_____ <i>Name of attorney or organization, if any</i>		_____ <i>Attorney's PIN – Ask the attorney</i>		
_____ <i>Business address of attorney or organization</i>		_____ <i>City</i>	_____ <i>State</i>	_____ <i>ZIP code</i>
(_____) _____ <i>Attorney's phone number</i>	(_____) _____ <i>Attorney's fax number – optional</i>	_____ <i>Attorney's email address – optional</i>		

- (3) A mediator, _____, who is an attorney, helped me
Name of mediator
prepare or fill in this paper, but did not represent me as a party.

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4. Oaths and Signatures

This Settlement Agreement addresses all issues in our Custody and Visitation case. We want the court to approve this Agreement and make it a part of the final order.

A. Petitioner's 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 Settlement Agreement and it accurately states how I would like the court to address the issues in my custody and visitation case. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

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

laws of the State of Iowa that I have read this Settlement Agreement and it accurately states how I would like the court to address the issues in my custody and visitation case. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

_____, 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.*