

In the Iowa Supreme Court


**In the Matter of amendments to
Chapter 17, Rule 17.100 of the
Iowa Court Rules**


Order

The Iowa Supreme Court adopts amendments to chapter 17, Rule 17.100 of the Iowa Court Rules to make updates to the family law forms for dissolution of marriage with no minor or dependent adult children.

The amendments are primarily nonsubstantive in nature. The forms were designed and approved as of November 2013, when the Iowa Judicial Branch was still implementing electronic filing across the state. At the time, it was important to make careful distinctions on the forms and instructions to account for both electronic and paper filing processes. With full implementation of electronic filing and the passage of time, there is formatting and information on the forms that should be updated.

For example, as electronic filing became the norm, phrases such as “paper filing” have become outdated. All forms are electronically filed, even those that are submitted to the clerk in paper for filing. As another example, the forms made extensive use of an electronic symbol and a paper symbol to clearly delineate which instructions and parts of a form applied to each process.

 *If filing electronically, you must provide any protected information in full on form 111.*

 *If filing in paper, you may use form 111 to provide any protected information in full.*

That sort of language and use of the symbols are no longer necessary in the forms or in the Guide that accompanies the forms on the Iowa Judicial Branch website.

Other adjustments are made to select forms to enable parties to provide more complete financial information. The Financial Affidavit (form 124), Request

for Relief (form 127), and Settlement Agreement (form 128) now include additional space for reporting retirement and pension benefits. Sections added to the Settlement Agreement include vehicles, life insurance, and stocks, bonds, and securities to match information gathered on the Financial Affidavit.

The Notice of Intent to File Written Application for Default Decree (form 126) is updated to clarify the information required for the form and to change the instructions for providing notice of the filing. The instructions now direct that the Notice of Intent must be mailed to the party alleged to be in default, and if the party alleged to be in default has an attorney, the Notice of Intent must also be mailed to that party's attorney pursuant to Iowa Court Rules 1.972(3)(a) and (b). *See Lincoln Sav. Bank v. Emmert*, ___ N.W.2d ___, No. 20-1663, 2023 WL 2192908 (Iowa Feb. 24, 2023).

The following forms are removed from rule 17.100 as no longer necessary or as redundant, as provided with this order:

Form 102: Petition Cover Sheet for a Dissolution of Marriage with no Minor or Dependent Adult Children

Form 103: Confidential Information Form

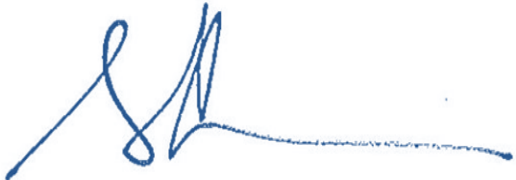
Form 104a: Original Notice for Personal Service

These changes to rule 17.100 are effective immediately.

The updated forms for dissolution of marriage with no minor or dependent adult children will be available on the Iowa Judicial Branch website in a .pdf fillable and savable format. The forms available in the Iowa Interactive Court Forms tool will also be updated. The November 2013 forms and previously approved forms in rule 17.100 remain in effect in the event a party does not use the forms updated with this order.

Dated this 16th day of March, 2023.

The Iowa Supreme Court

By: 

Susan Larson Christensen, Chief Justice