

# DISTRICT COURT ADMINISTRATION

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## Mediation of Family Law Cases

Pursuant to the Supreme Court's Administrative Order of July 9, 2020, all judicial districts shall implement a mandatory mediation procedure or mandatory judicial settlement conference in all family law cases where at least one party is represented by an attorney. The following plan incorporates the Third District's current mediation procedures with the mandatory requirements of the Supreme Court's Administrative Order.

### **The caseflow management for all family law cases:**

**Step 1:** District 3 assigns an individual District Court Judge for every family law case. Each judicial officer is responsible for all parts of the case assigned, including motions, hearings, conferences and final disposition.

**Step 2:** When an answer is filed in a family law case, DCA receives the case information on a report. DCA staff will:

- Assign the case to a District Court Judge and prepare the Notice of Judge Assignment for e-filing into the case.
- Case will be set for trial. A Trial Scheduling Order will be prepared and e-filed into the case.
- Prepare and e-file an Order for Mediation.
  - Order will assign a default mediator on a rotating basis from D3 list of mediators.
  - Order will show the deadline to complete mediation or judicial settlement conference. The deadline is 120 days from the date the Original Notice and Petition was served.
- Prepare and e-file the Notice, What is Mediation.

All documents are processed by clerk and distributed to parties and/or attorneys.

**Step 3.** Deadlines of required documents or judicial settlement conference are monitored by DCA staff or judges assigned to the case. If the Family Law Mediation Report is not filed or mandatory judicial settlement conference not held by deadline, it could result in a delay of trial or other sanctions imposed by the Court.

### **The Order for Mediation shall:**

- State that the requirements set forth in the Order for Mediation are in addition to the Trial Scheduling Order.

- Require the parties to attend a mediation session or judicial settlement conference within 120 days after service of the original notice and petition.
- Identify a default mediator on a rotating basis of D3 mediators.
- Require certain financial information be exchanged.
- Identify that within 7 days of the completion of mediation, the parties or an attorney for a party, must file a Family Law Mediation Report with the court, executed by the parties and/or counsel.
- Explain option for waiver of mediation.
- Require that a Stipulation (partial or full) be submitted to the Court within 30 days following conclusion of mediation or judicial settlement conference.
- Require parenting plan be submitted with stipulation in child custody cases.
- Address the cost of mediation and how to request an application for reduced fee.
- State any individual who does not meet the requirements may be sanctioned by the Court.
- Identify where to find forms and mediation information.  
<https://www.iowacourts.gov/iowa-courts/district-court/judicial-district-3/family-law-mediation/>

### **The Notice – What is Mediation includes:**

It explains what mediation is, an information sheet of answers to common questions, and it explains how to prepare for mediation.

The Iowa Judicial Branch dedicates itself to providing independent and accessible forums for the fair and prompt resolution of disputes, administering justice under law equally to all persons.