

IOWA DISTRICT COURT IN AND FOR _____ COUNTY

UPON THE PETITION OF:

Petitioner,

And Concerning

ORDER FOR MEDIATION
(Family Law Cases)

Respondent.

This case has been set for trial on _____ Mandatory mediation or a judicial settlement conference must be held by _____ (120 days from date of service).

You and the other party may, and are encouraged to, choose your own mediator. If you cannot agree on a mediator, your mediator will be **jane doe**. This mediator may be reached at **712 _____**. You both shall directly call the mediator of your choice or the default mediator to make an appointment before the mediation deadline.

The District 3 Mediator List, forms, and other information can be found on the Judicial Website at: <https://www.iowacourts.gov/iowa-courts/district-court/judicial-district-3/family-law-mediation/>

This order tells each person in this case what must be done prior to the trial date. The requirements set forth in this order are in addition to those set forth in the order that scheduled the trial on this case. These requirements apply to both parties, whether you hire a lawyer or not. These requirements are designed to encourage you and the other party in this case to exchange information and to discuss possible settlement of your case before going to trial before a judge. You are both required to:

- Give certain financial information to your lawyer, if you have one, and to the other party or their lawyer not more than 60 days from the date the case is filed and prior to the mediation or judicial conference session.
- Attend together a mediation session with a mediator within 120 days after service date of the original Notice and Petition in this case. A notice, What is Mediation, explaining mediation will be filed separately.
- The parties are required to file a Family Law Mediation Report within 7 days of completion of mediation.
- The parties are required to submit a Stipulation (partial or full) to the Court within 30 days following conclusion of mediation or judicial settlement conference or request a judicial settlement conference with assigned judge by mediation deadline noted above.
- Custody cases are required to file a Parenting Plan in addition to mediation report and stipulation.

IT IS THEREFORE ORDERED AS FOLLOWS:

Financial Information Exchange. Not more than 60 days from the date the petition was filed and prior to the mediation session you shall give your lawyer, if you have one, and to the other person or his/her lawyer the following information:

(If you are involved in a modification case or an unmarried custody case, you only have to provide the information contained in numbers **1, 2, and 10.**)

(If you are involved in a dissolution of marriage proceeding, you must provide all the information listed.)

1. Pay stubs or other documentation showing income from all sources, including all deductions for federal and state taxes, health insurance premiums (including the difference in costs for single and family coverage), union dues, and mandatory pension withholdings for the past 6 months.
2. Federal and state income tax returns, including all schedules and W-2s for the last 5 years.
3. The legal description and all appraisal and/or market analysis for all real estate owned jointly and separately.
4. Current value statements on all investments, including but not necessarily limited to stocks, bonds, mutual funds, life insurance policies, and bank accounts held jointly or individually.
5. Copies of IRA accounts, retirement plans, 401(k)s, deferred compensation, savings plans and any other similar plan documents.
6. Current statements or other documentation of all indebtedness incurred individually or jointly.
7. Any documentation establishing a claim that assets or debts are gifted or inherited property or are premarital property.
8. Any prenuptial agreements between the parties.
9. Documentation on the value of any other assets or the amounts of any other indebtedness not specifically requested above, whether individually or jointly owned or owed.
10. An affidavit of financial status and child support guidelines worksheets, if applicable.

If you do not provide this information on time, you may not be able to dispute any financial information presented by the other person in the case. You could also be fined by the Court. Under the Iowa Rules of Civil Procedure, you and the other person have the right to request additional information from each other if you wish to do so.

Mediation Requirement. In agreement with Iowa Code Section 598.7 and pursuant to Supreme Court Administrative Order of July 9 2020, both you and the other person must participate in a mediation session with a mediator within 120 days from the date the original notice and petition was served. The mediator will help you discuss your concerns and possible settlement options in your case, but the mediator will **NOT** give you legal advice or make any decisions for you. One mediation session is required, but you may find that attending additional sessions will help you resolve your case. A notice with information about mediation is being sent out to parties.

Mediation may not be appropriate when there has been physical or emotional abuse. If mediation is not appropriate, you can request a waiver or excuse from the court by filing an Application for Waiver of Mediation form. **Be sure to notify the mediator if there is an active No Contact Order in effect.** Please discuss any concerns about this with your attorney or with your mediator. No Contact Orders can be changed to permit attending mediation if mediation is appropriate.

You are free to continue mediation after the initial session. You are not legally bound by any agreements made in mediation until the agreements are reviewed by your attorneys, if you have them, and the agreements have been put in a written document signed by both parties, and is thereafter approved by the Court. The Court has the final authority to approve or not approve all or any part of a settlement.

The cost of the mediation is to be divided between you and the other person in the case, but if you believe you cannot afford to pay a mediator, you can ask the Court to allow you to pay on a reduced fee basis by filing an Application for Reduced Fee form.

Failure to attend mediation by the deadline could result in a delay of trial and other sanctions by the Court.

Within 7 days of the completion of the mediation, an attorney or party shall submit the Family Law Mediation Report to the district court.

Within 30 days following conclusion of mediation or judicial settlement conference, the parties shall submit their stipulation (partial or full) to the court.

Parenting Plan. Parents are required to file a parenting plan that addresses all items on the parenting plan checklist. If the parenting plan is an agreed upon plan, the parties shall both sign one plan and file it with the clerk of court. If a plan is not agreed upon, each party shall file their respective parenting plan.

If you believe you cannot fulfill any of the requirements listed in this order, you may seek a waiver of the requirements by written application filed with the Court. The requirements may be waived only after a judge has signed an order waiving them.

The clerk of court shall notify all interested parties.