

Upon the petition of

\_\_\_\_\_  
Petitioner

No. \_\_\_\_\_

And Concerning

\_\_\_\_\_  
Respondent.

**FAMILY LAW REQUIREMENTS  
ORDER  
(WITH MINOR CHILDREN)**

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This order tells each person in this case what must be done to get final orders from the Court. In cases where a party has requested a temporary custody or visitation order, the Court shall issue a separate order requiring mediation. The requirements of the separate order shall take precedence. These requirements apply to both parties, whether you hire a lawyer or not. In general, you are both required to:

1. Complete a Children in the Middle class within 60 days from the date the case is filed or the date notified the case has been filed;
2. Attend together a mediation session with a mediator within 90 days from the date you receive this order;
3. Give certain financial information to your lawyer, if you have one, and to the other person or their lawyer 15 days prior to the mediation session; and
4. Participate in a pretrial conference with the other party and the other party's attorney to complete the Assets and Liabilities and Pretrial Report that will be set approximately 120 days from the date the case is filed.

These requirements are designed to encourage you and the other person in the case to exchange information and to discuss possible settlement of your case before going to trial before a judge. These requirements are also intended to make trials available more quickly for those who cannot settle their case.

**IT IS THEREFORE ORDERED AS FOLLOWS:**

1. **Children in the Middle Class.** You must complete this class within 60 days of the date you filed the case or were notified that a case has been filed. The class will provide you with information about a) children of separated parents and their needs at different ages; b) parenting skills for divorced or separated parents; c) the financial responsibilities of parents following divorce; and d) mediation as a process for helping people talk and listen to each other about what is important to them and best for their children.

If you do not attend this class by the deadline, this may 1) delay the entry of final orders in your case until you have completed the class; 2) hurt your chances of getting what you want if there is a hearing or trial; and/or 3) possibly result in a finding of contempt by the court.

You are responsible for the class fees and for making arrangements to attend the class by calling and registering with an approved agency presenting the class. There is a sheet with this order which provides you with the names of class providers and class schedules.

2. **Mediation Requirement.** Pursuant to Iowa Code Section 598.7, both you and the other party must participate in a mediation session with a mediator within 90 days from the date you receive the order. You must contact the mediator within 7 days from the filing of an appearance or answer, or the date an appearance or answer should have been filed, or whichever occurs first, to schedule your mediation session. 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.

Mediation may not be appropriate when there has been physical or emotional abuse. If you believe mediation is not appropriate, you can request a waiver or excuse from the Court. Please discuss any concerns about this with your attorney or your mediator. No Contact Orders can be changed to permit attending mediation, if mediation is appropriate. An application for waiver of mediation can be obtained from the Judicial Branch website (found in #6 of this order) or the Clerk of Court.

You and the other person may, and are encouraged to, choose your own mediator. If you cannot agree on a mediator before any required mediation session, you will need to obtain the name of the default mediator whose name you can find on the attached roster of mediators. Each of you shall individually call the mediator you have chosen together or the default mediator, if you do not agree, to make a joint appointment. You both shall directly call the mediator of your choice or the default mediator to make an appointment before the date listed above. If you choose a mediator who is not on the list, you are responsible for submitting the necessary forms.

**YOU MUST** attend an initial mediation session within the time specified above as set by the Court. 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, 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 this 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 Appointment of Pro Bono Mediator. This form is available at the Judicial Branch website (found in #6 of this order) or the Clerk of Court.

Failure to attend mediation by the date set by the Court could result in a delay in having your case set for hearing or trial. It could also cause you to be found in contempt by the court.

3. **Financial Information Exchange.** No less than 15 days prior to mediation, you shall give your lawyer, if you have one, and to the other parties or his/her lawyer the following information:
  - a. Paystubs or other documentation showing all income from all sources, including all deductions for federal and state taxes, dependent health and dental insurance premiums

(including the specific cost of family and dependent health insurance), union dues, mandatory pension withholdings for the past six (6) months;

- b. Documentation regarding childcare expenses;
  - c. Federal and state income tax returns, including all schedules and W-2's for the last five (5) years;
  - d. An affidavit of financial status (Iowa Code Section 598.13), and child support guidelines worksheet, if applicable.
4. **Pretrial Conference.** A pretrial conference will be set approximately 120 days after case filing. The parties and their attorneys, if any, will meet to discuss the status of their case. At this conference, in dissolution of marriage cases only, the parties will fill out a form called "Stipulation of Assets and Liabilities, Rule 24." This form can be obtained from the Judicial Branch website (found in #6 of this order) or the Clerk of Court. In this form, the parties shall list and value all of their assets and liabilities and they shall identify the issues they have agreed upon and the issues still in dispute. They shall also estimate the time they will need for trial. At the conclusion of the pretrial conference, the parties shall file their completed Stipulation of Assets and Liabilities. If the parties have complied with all of the requirements specified in Sections 1, 2, and 3 of this order, as well as updated and current child support guidelines worksheet, then a trial date will be set at the time of the pre-trial conference. **If the parties have not complied with the requirements of this order, a trial date will not be set at the Pre-Trial Conference.**
5. **Notice.** You must keep the Clerk of Court, Case Coordinators (641) 684-6502, and the other party and his/her counsel advised of your address and phone number at all times. If you are a self-represented litigant you must still comply with all district court rules, and the rules of civil procedure and evidence.
6. **Judicial Branch Website.** The following internet link will provide access to the 8<sup>th</sup> Judicial District's mediation orders. [http://www.iowacourts.gov/District\\_Courts/District\\_Eight/Mediation/](http://www.iowacourts.gov/District_Courts/District_Eight/Mediation/)

Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE, EIGHTH JUDICIAL DISTRICT

( \_\_\_\_\_ ) This order shall be served with the Petition and Original Notice.