

Upon the petition of

\_\_\_\_\_  
Petitioner

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

And Concerning

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

**ORDER RE: MEDIATION  
OF TEMPORARY MATTERS  
AND SETTING HEARING**

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An application has been filed in the above-captioned matter seeking an order concerning:

- \_\_\_\_\_ Temporary Legal Custody
- \_\_\_\_\_ Temporary Physical Care
- \_\_\_\_\_ Temporary Shared Care
- \_\_\_\_\_ Temporary Visitation

Iowa Code Section 598.7 states that you may be required to attend a mediation session if the Court believes mediation may help you and the other person in the case resolve your differences without the Court being involved. The Court believes mediation helps those disputing temporary custody and visitation issues for the following reasons:

- A.) Mediation gives you both an opportunity to communicate peacefully about your children;
- B.) Mediation encourages you both to make your own decisions about your lives and the care of your children;
- C.) Mediation can help you and the other person develop a working relationship so that you both can parent your children effectively while you are going through your case (and afterwards); and
- D.) Mediation reduces the trauma experienced by your children, the ones most hurt by parental conflict.

Therefore, you are ORDERED to attend a mediation session before the date set for this hearing on temporary matters. At the mediation session, you and the other person will have the opportunity to discuss how you wish to set up arrangements for care of your children while you are going through your case. If you cannot agree and you go to Court, the judge will make decisions for you on temporary arrangements for care of your children.

You **SHALL**:

- 1.) Make an appointment with a mediator 7 days from the date of service of the respondent or receipt of this order, whichever occurs last. Information about mediation and mediators can be obtained from the Judicial Branch Website ([http://www.iowacourts.gov/District\\_Courts/District\\_Eight/Mediation/](http://www.iowacourts.gov/District_Courts/District_Eight/Mediation/)) or Clerk of Court.

The parties shall attempt to agree on a mediator. If you and the other person cannot agree on a mediator, you should make an appointment with the default mediator whose name you can find on the attached roster of mediators.

- 2.) Attend a mediation session with the other person and a mediator at least 10 days prior to the date and time set below for hearing.
- 3.) Equally share the costs of mediation with the other person, and pay these costs as required by the mediator. If you cannot pay for your share of the mediation cost, you may ask the Court to allow you to pay on a reduced fee basis. Request must be in writing and should be made as soon as possible following the first mediation session.

If you meet with the mediator and do not resolve the temporary custody and/or visitation issues, hearing is set for \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_m, for affidavits only unless otherwise ordered. **If you do not attend a mediation session, it is most likely that the Court will not hold this hearing.** If you do not attend a mediation session, the court has the discretion to order further mediation of your case at a later date, following the hearing on temporary matters.

You shall file all affidavits, including an affidavit of financial status under 598.13 and a child support guidelines worksheet as required by Rule 9, Iowa Court Rules, regarding custody/visitation issues with the Court anytime after you have completed mediation and on or before three (3) business days before the date set for hearing. If you wish to enter a response with the Court to a statement filed by the other person in the case, you are allowed one responsive affidavit and it must be filed prior to the hearing date.

When you file a statement with the Court, you shall fax, email or hand-deliver a copy of your statement to the lawyer for the other person in the case, or directly to the other party if he or she does not have a lawyer. **You shall do this on the same day you file your statement with the Court.**

You must keep the Clerk of District Court and the case coordinators advised in writing of any change of address that occurs while the case is open (pending).

Clerk shall notify all counsel of record and any pro se parties.

IT IS SO ORDERED and signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge, Eighth Judicial District of Iowa

**Attorneys**

Petitioner: \_\_\_\_\_

Respondent: \_\_\_\_\_