

Sixth Judicial District Family Law Mediation Program

In the Sixth Judicial District the court requires parties to mediate in all dissolution of marriage cases, all cases involving modifications of custody or visitation, any case involving child custody or visitation, and any time a party requests a hearing on temporary custody, visitation or spousal support matters. The primary objectives of the district's mandatory Family Law Mediation Program are to:

- Encourage parties to make their own decisions on issues that will affect their lives;
- Increase parties' satisfaction and compliance with final decrees;
- Save litigants and time and money;
- Encourage parties to develop the working relationship they will need to enable them to parent their children effectively after the final decree; and.
- Reduce the trauma endured by children affected by family law cases.

The court will generally waive the mediation requirement if both parties have reached a settlement of all issues in the case within 120 days and filed a stipulation of agreement with the court.

The court will also waive mediation for good cause, such as a history of physical or emotional abuse. If a party believes good cause exists for a waiver of mediation, it is the party's responsibility to seek the waiver from the court. Mediators also screen for domestic abuse and other issues which may make a case inappropriate for mediation. If a mediator believes a case is inappropriate for mediation, the mediator may so inform the court.

In addition to requiring parties to **mediate within 120 days of when the case is filed**, the court also requires parties to do the following before it will schedule a trial date:

1. Complete a mediation education class within 45 days of when the case is filed. This class is offered in conjunction with the Children in the Middle Class or can be taken online by going to **<http://www.mediateiowa.org>**.
2. Attend the Children in the Middle Class within 45 days of the filing of the case if children are involved in the case. Online courses are not permitted.
3. Share required financial information with the other party and file the Pretrial Report and Stipulation of Assets and Liabilities Report with the court within 120 days of the filing of the case.
4. Participate in a trial setting conference after 150 days contingent upon all of the above requirements being met. At the trial setting conference the court will schedule a trial date.

In the Sixth District agreements reached at mediation are not signed at the mediation session unless both parties have attorneys present at the mediation session. Generally, proposed agreements reached at mediation are submitted to the parties' attorneys afterward for review. Any final agreement must be signed by both parties and then submitted in the proper form to the court for approval. The court has the authority to accept, reject, or modify the mediated agreement.

For unresolved cases in which a trial date is scheduled, the court conducts a pretrial conference thirty days before the trial date to review the issues in dispute and ensure the parties are ready for trial.

Parties with questions about the family law mediation program may visit the website for Mediation Services of Eastern Iowa (<http://www.mediateiowa.org>) or call 319-248-1940.