

STATE OF IOWA, ex rel.,

Petitioner,

vs.

Respondent.

No. _____

**ORDER FOR DETERMINATION OF
CONTROLLING ORDER AND ARREARS**

NOW on this ____ day of _____, ____, this matter comes before the Court upon the State of Iowa's Petition for Determination of Controlling Order and Determination of Arrears. The State of Iowa is represented by attorney _____.

The obligor, _____,

- is represented by attorney _____.
- appears Pro Se.
- appears not Contacted CSRU by telephone.
- provided financial information.

The obligee, _____,

- is represented by attorney _____.
- appears Pro Se.
- appears not. contacted CSRU by telephone.
- provided financial information.

The third party, _____,

- is represented by attorney _____.
- appears Pro Se.
- appears not.
- contacted CSRU by telephone.
- provided financial information.

The Court records include

- the consent of the
 - obligor
 - obligee
 - obligor and obligee
 - and third party

who agreed to the terms herein, as evidenced by their signatures, after they either consulted with an attorney or were given the opportunity to consult with an attorney.

- that
 - the obligor

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- the obligee
- the obligor and obligee
- and third party

failed to file an answer or motion within twenty days after the date of service of the Petition for Determination of Controlling Order and Determination of Arrears and said party(ies) being in default, the matter having proceeded to hearing and this Court having sent notice of the date and time of the hearing to all parties and, if applicable, the initiating tribunal.

- that upon the failure of the
 - obligor
 - obligee
 - obligor and obligee
 - and third party

to appear for the final hearing upon this matter in its regular position on the trial assignment for _____ County, and being fully advised in the premises,

FINDS:

1. Pursuant to Iowa Code Section 252K.201, the Court has personal jurisdiction of Respondent for the following reason. The Respondent

- was personally served with notice within Iowa.
- submitted to the jurisdiction of Iowa by written consent or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.
- lived in Iowa with the child(ren) named herein from _____ through _____.
- lived in Iowa from _____ through _____ and provided prenatal expenses or support for the child(ren) named herein.
- directed or acted in a manner that resulted in the child(ren) named herein living in Iowa by the following:
_____.
- engaged in at least one act of sexual intercourse in Iowa with the other parent between _____ and _____ which may have resulted in the conception of the named child(ren).
- asserted parentage in the declaration of paternity registry maintained in this state by the Iowa Department of Public Health pursuant to section 144.12A or established paternity by affidavit under Iowa Code section 252.3A.
- has sufficient minimum contacts with the State of Iowa, because: _____
_____.

2. An Iowa tribunal has the authority and jurisdiction to make a determination of the controlling order for the purpose of future enforcement of the support obligations, pursuant to 28 U.S.C.§1738B (Full Faith and Credit for Child Support Orders Act), as amended by the Personal Responsibility and Work Opportunity Act of 1996, and Iowa Code Chapters 602.6101 and 252K (Uniform Interstate Family Support Act).

3. Proper notice of the petition has been given to the obligor, the obligee, other interested parties, and if applicable the initiating tribunal. Any other interested parties given notice are as follows:

4. The residences of the parties and child(ren) are as follows:

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- a. The obligee is residing in _____ .
- b. The obligor is residing in _____ .
- c. The third party is residing in _____ .
- c d. The residence of the child(ren) affected by the registered order(s) is:

Child's Name (last, first, middle)	State of Residence	Period of Residence
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____

Child's Name (last, first, middle)	State of Residence	Period of Residence	Child's Home State
_____	_____	_____ to _____	_____
_____	_____	_____ to _____	_____
_____	_____	_____ to _____	_____
_____	_____	_____ to _____	_____
_____	_____	_____ to _____	_____

5. There are multiple support orders from multiple jurisdictions relating to the parents and, if applicable, the caretakers in this action. The following order(s) exist(s) which involve the obligor, obligee and above-named child(ren) and a certified copy of each order has been filed in this action:

Issuing State	Docket Number	Effective Date	Support Amount	Arrearages
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

6. Pursuant to 28 U.S.C. §1738B and Iowa Code Chapter 252K and based upon the existing orders known to the State of Iowa, the controlling order in relation to these parties:

- The order from _____ County, effective on _____ with docket number _____ is the only tribunal that has continuing exclusive jurisdiction.
- The order from _____ County, effective on _____ with docket number _____ has continuing, exclusive jurisdiction and was issued by the tribunal in the current home state of the child(ren).
- The current home state of the child(ren) has not issued an order. However, the order from _____ County, _____, effective on _____ with docket number _____ has continuing, exclusive jurisdiction and is the most recently issued order.
- No tribunals that entered an order have continuing, exclusive jurisdiction and the tribunal of this state must issue a support order.

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7. That pursuant to Iowa Code section 252A.6(7), a support order does not supersede any previous order of support, but the amounts paid for a particular period pursuant to either order shall be credited against amounts accruing or accrued for the same period under both. The obligor owes arrears under the order(s) listed in the above table totaling in the amount of _____ as of _____. The amount of arrears

- includes interest.
- does not include interest.

8. At the time of the filing of the petition, the State of Iowa did not have sufficient information available to litigate other forms of support that may be at issue in this case, including, but not limited to, unreimbursed medical support.

IT IS THEREFORE ORDERED:

The above findings relating to the residence of the parties and the residence

- and home state

of the child(ren) are incorporated in this order as if set forth herein in full.

1. The Court hereby orders that

- the order/decree from _____ County, ___, effective on _____ with court docket number _____ is the controlling support order for purposes of prospective enforcement for the reason stated in the findings.
- a controlling order does not exist because none of the tribunals that previously issued an order have continuing, exclusive jurisdiction and the tribunal of the State having jurisdiction over the parties must issue a child support order.

2. The obligor owes arrears under the order(s) listed in the above table totaling in the amount of _____ as of _____ and judgment is hereby entered for that amount. This judgment for arrears

- includes interest.
- does not include interest.

3. The Court reserves judgment as to the amount of the past unreimbursed medical expenses, if any, and any and all support issues relating to the above mentioned order(s), because, at the time of the filing of the petition, the State of Iowa did not have sufficient information available to litigate other forms of support that may be at issue in this case.

4. _____ shall pay all costs of this action. These costs shall be paid to the Clerk of the above named Court.

5. It is also ORDERED that the Clerk of Court shall forward a certified copy of this order to all of the tribunals listed in the table of orders in the findings portion of this order.

JUDGE OF THE ____ JUDICIAL DISTRICT OF IOWA

ORIGINAL FILED _____

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The following section is to be completed only if this order is entered by agreement of the parties:

Obligor's Declaration:

I, _____, the obligor herein, state that I have been advised of my right to have legal counsel of my choice in these proceedings. I further acknowledge that the attorney for the State is not acting as my counsel in this matter. I freely enter into and approve the above consent order.

Obligor

Attorney for obligor (optional)

Date

Date

Obligee's Declaration:

I, _____, the obligee herein, state that I have been advised of my right to have legal counsel of my choice in these proceedings. I further acknowledge that the attorney for the State is not acting as my counsel in this matter. I freely enter into and approve the above consent order.

Obligee

Attorney for obligee (optional)

Date

Date

Third Party's Declaration:

I, _____, the third party herein, state that I have been advised of my right to have legal counsel of my choice in these proceedings. I further acknowledge that the attorney for the State is not acting as my counsel in this matter. I freely enter into and approve the above consent order.

Third party

Attorney for third party (optional)

Date

Date

State of Iowa

Date

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on _____ by:

- U.S. Mail
- Hand Delivered
- Other _____

Signature _____

Copy To:

