

<p>_____ _____ _____ _____ _____ _____ Petitioner,  vs.  _____ _____ Respondent.  _____ _____ _____</p>	<p>No. _____</p> <p><b>ORDER FOR DETERMINATION OF CONTROLLING ORDER AND RECONCILIATION OF ARREARS</b></p>
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NOW on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, this matter comes before the Court upon the State of Iowa's Petition for Determination of Controlling Order and Reconciliation of Arrears. The State of Iowa's Child Support Recovery Unit 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.

- The Court records include that
  - the obligor
  - 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 Reconciliation of Arrears and more than ten days having passed since mailing of the notice of intent to file a written application for default 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.

- The Court records include 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 over \_\_\_\_\_ for the following reason. The obligor

- resides in Iowa.
- requested a determination of controlling order and waives any contest to personal jurisdiction.
- was personally served with notice within Iowa.
- submitted to the jurisdiction of Iowa by consent in a record or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.

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- 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 of a child 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. Pursuant to Iowa Code Section 252K.201, the Court has personal jurisdiction over \_\_\_\_\_ for the following reason. The obligee

- resides in Iowa.
- requested a determination of controlling order and waives any contest to personal jurisdiction.
- was personally served with notice within Iowa.
- submitted to the jurisdiction of Iowa by consent in a record 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 of a child 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:

\_\_\_\_\_.

3.  Pursuant to Iowa Code section 252K.201, the Court has personal jurisdiction over \_\_\_\_\_ for the following reason.

The third party

- resides in Iowa.
- requested a determination of controlling order and waives any contest to personal jurisdiction.
- was personally served with notice within Iowa.
- submitted to the jurisdiction of Iowa by consent in a record 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 of a child 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:

\_\_\_\_\_.

4. An Iowa tribunal has the authority and jurisdiction under Iowa Code §602.6101 and I.R.C.P. 1.1101 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 and Iowa Code Chapter 252K. 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:

\_\_\_\_\_  
\_\_\_\_\_

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

- a. The obligee is residing in \_\_\_\_\_.

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- b. The obligor is residing in \_\_\_\_\_.
- c.  The third party is residing in \_\_\_\_\_.
- d. The residence of the child(ren) affected by the registered order(s) is/are:

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

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

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

Issuing State	Issuing County	Docket Number	File Stamped Date	Support Amount
_____	_____	_____	_____	\$____,____.00 per _____
_____	_____	_____	_____	\$____,____.00 per _____
_____	_____	_____	_____	\$____,____.00 per _____
_____	_____	_____	_____	\$____,____.00 per _____
_____	_____	_____	_____	\$____,____.00 per _____

7. Pursuant to 28 U.S.C. § 1738B and Iowa Code Chapter 252K, a state has continuing exclusive jurisdiction over orders originally entered, registered, or modified in that state, if one of the individual parties or one of the child(ren) covered by the order continues to reside in the state.

8. Pursuant to 28 U.S.C. § 1738B and Iowa Code Chapter 252K, a state loses continuing exclusive jurisdiction over orders originally entered, registered, or modified in that state, if none of the individual parties and no child(ren) covered by the order reside in that state or if its order has been properly registered and modified in another state.

9.  That upon information and belief, pursuant to 28 U.S.C. § 1738B and Iowa Code Chapter 252K and based upon the existing orders known to the State of Iowa, no tribunals that entered an order have continuing, exclusive jurisdiction and the tribunal of this state must issue a support order.

10.  That upon information and belief, 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 ongoing support order is the \_\_\_\_\_ order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_. This order is controlling

- because it is the only known ongoing support order in existence.
- because it was issued by the only tribunal that has continuing, exclusive jurisdiction.

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although more than one tribunal has continuing, exclusive jurisdiction, it was issued by a tribunal that has continuing, exclusive jurisdiction and is the home state of the child(ren).

because it was the most recent ongoing support order issued by a tribunal with continuing, exclusive jurisdiction, and \_\_\_\_\_, the current home state of the child(ren) has not issued a support order

because it was the most recent ongoing support order issued by a tribunal with continuing, exclusive jurisdiction, and neither \_\_\_\_\_, the home of the child(ren) \_\_\_\_\_, nor \_\_\_\_\_, the home state of the child(ren) \_\_\_\_\_, has issued support orders.

11.  That upon information and belief, 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 ongoing support order is the Iowa order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_, and the Iowa order entered in \_\_\_\_\_

\_\_\_\_\_ County, Docket Number \_\_\_\_\_

, and the Iowa order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_.

According to Iowa Code section 252A.6, no Iowa order supersedes any previous Iowa order. All Iowa orders run concurrently and were reviewed together.  These orders are controlling because they were issued by the only tribunal that has continuing, exclusive jurisdiction.

These orders are controlling because they were issued by the only tribunal that has issued orders.

12.  That upon information and belief, 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 ongoing support order for \_\_\_\_\_ is the \_\_\_\_\_ order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_,

and the controlling order for \_\_\_\_\_ is the \_\_\_\_\_ order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_.

These orders are controlling because, although more than one tribunal has continuing, exclusive jurisdiction, these orders were issued in the children's respective home states by tribunals with continuing, exclusive jurisdiction.

13. Under 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. Under Iowa Code section \_\_\_\_\_



252K.209, amounts collected and credited must be credited against amounts accruing or accrued for the same period in this state.

14. The obligor owes arrears of \$\_\_\_\_\_ as of \_\_\_\_\_ under order(s) listed in the *Computation of Reconciliation of Arrears* (Computation) which is attached to this order and incorporated herein by this reference.

15. Since the State of Iowa does not compute or collect interest that is not reduced to a judgment, interest is only included in the Computation to the extent that it has been charged by another state or has been reduced to a judgment by a court order, and other accumulating interest issues are reserved. Entry of this order does not prejudice the right of the payee of support to pursue interest as allowed under the law.

16. Other forms of support not specifically described herein including, but not limited to, unreimbursed medical support, are reserved and may be pursued as allowed under the law.

IT IS THEREFORE ORDERED THAT:

1. 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.

2. The order/decreed from \_\_\_\_\_ County, \_\_\_\_\_, with court docket number \_\_\_\_\_ and ongoing support of \$\_\_\_\_\_ is the controlling support order for purposes of future enforcement for the reason stated in the findings.  The controlling ongoing support order is the Iowa order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_, with ongoing support of \$\_\_\_\_\_ and the Iowa order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_ and ongoing support of \$\_\_\_\_\_  and the Iowa order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_ and ongoing support of \$\_\_\_\_\_ for purposes of prospective enforcement for the reason stated above.

3.  The controlling order/decreed for \_\_\_\_\_ is the \_\_\_\_\_ order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_ and ongoing support of \$\_\_\_\_\_, and the controlling order for \_\_\_\_\_ is the \_\_\_\_\_ order entered in \_\_\_\_\_ County, Docket Number \_\_\_\_\_ and ongoing support of \$\_\_\_\_\_ for purposes of prospective enforcement for the reason stated above  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.

4. The amount of arrears is \$ \_\_\_\_\_ as of \_\_\_\_\_. Interest is included in this amount only insofar as it is included in the Computation filed herein and incorporated by this reference. The arrears amount herein does not prejudice the rights of the payee to pursue other interest amounts not specified in the Computation, as allowed under law, and other accumulating interest issues are reserved.

5. Judgment is reserved as to the amount of the past unreimbursed medical expenses, if any, and any and all other support issues not specifically described herein relating to the above mentioned order(s).

6. \_\_\_\_\_ shall pay all costs of this action.

7. The Child Support Recovery Unit 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

Copy To:

\_\_\_\_\_

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\_\_\_\_\_

**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:

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- U.S. Mail
- Hand Delivered
- Other \_\_\_\_\_

Signature \_\_\_\_\_

**□ 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

□ 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.

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\_\_\_\_\_  
Obligee

\_\_\_\_\_  
Attorney for obligee (optional)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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