

2010

State Law Report Card



Iowa

Access to Protective Orders

In Iowa, minors can obtain Protective Orders (POs),¹ and courts can issue POs against minor abusers.² Iowa also allows people in dating relationships to seek POs against their abusers.³

Procedure

State law does not specify whether minors can petition for POs on their own behalf. A parent or guardian may petition for a PO on the minor's behalf.⁴ If a minor is able to file on their own behalf, Iowa law does not specify whether the parent or guardian of the minor will be notified about the PO. A petition for a PO against a minor respondent must be filed in juvenile court.⁵

Definition of Abuse

A judge may issue a PO if the respondent has physically abused or threatened to physically abuse the petitioner.⁶ The statute fails to explicitly recognize stalking, harassment and sexual abuse as qualifications for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁷ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support; and/or
- pay attorneys' fees.

The statute may allow other forms of relief not specifically listed here. The Protective Order is modifiable.⁸

Minors' Access to Sensitive Services^{9,10}

All minors can consent to:

- Contraceptive services
- HIV/STI testing and treatment*

*A parent must be notified of a positive HIV test result.

Minors can access abortion services, but their parents will be notified.

School Response to Dating Violence

Iowa law does not currently provide for a school response to dating violence.

Recommendations for Immediate Policy Change

In order to improve Iowa's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Ensure all PO cases involving minors are heard in the same court as adult domestic violence victims.
- Allow victims of intimate partner stalking, harassment and sexual abuse to access POs.
- Allow all minors to access all sensitive services, including prenatal care, without parental involvement.

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References

¹ IOWA CODE ANN. § 236.3(1) (West 2009).

² *Id.* § 236.3(4).

³ *Id.* § 236.2(2)(e); § 236.2(5).

⁴ *Id.* § 236.3(1).

⁵ *Id.* § 236.3(4).

⁶ *Id.* § 236.2(2); § 708.1.

⁷ *Id.* § 236.5(1)(b); § 236.5(4).

⁸ *Id.* § 236.5(2).

⁹ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

¹⁰ Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf, accessed December 1, 2009.

Break the Cycle

Empowering Youth to End
Domestic Violence

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