


Rule 17.200—Form 228 Settlement Agreement for a Dissolution of Marriage with Children


Use this form only if you and your spouse both agree to the terms of a Settlement Agreement.

Do not use this form if:

- You and your spouse have no children under the age of 18.
- You and your spouse have no children 18 years of age or older who still need support.
- There are no children under age 18 who were adopted or born during this marriage.

Caution: This form may require you to provide protected or sensitive information.

 If filing electronically and you include protected information on this form, fill out or update the Protected Information Disclosure form (211) if you have not already done so.

 If filing in paper, you may use form 211 to provide any protected information in full.

If you do not understand how to use this form, or if you should use this form, talk to an attorney.

In the Iowa District Court for _____ County
County where your case is filed

Upon the Petition of

Petitioner *Full name first, middle, last*

and concerning

Respondent *Full name first, middle, last*

Equity case no. _____

**Settlement Agreement for a
Dissolution of Marriage with Children**

1. Personal Information *Fill in all information that you know. If you have been assaulted by your spouse and you fear for your safety, you may leave your address, phone number, and email blank.*

A. Petitioner's birth year and present residence: _____
Birth year

Petitioner's present street address *City* *State* *ZIP code*

County *() Phone number* *Email address*

B. Respondent's birth year and present residence: _____
Birth year

Respondent's present street address *City* *State* *ZIP code*

County *() Phone number* *Email address*

2. Agreements

We agree to the following:

A. Children *Check all that are true*

- (1) We agree to the custody and visitation set out in the Agreed Parenting Plan (229).
- (2) We do not agree about custody and visitation. We each filed a Proposed Parenting Plan (230). *A parenting plan, either form 229 or form 230, must be provided to the court with the Settlement Agreement.*
- (3) Petitioner has taken the children in the middle course. *Attach certificate.*
- (4) Respondent has taken the children in the middle course. *Attach certificate.*

B. Breakdown of marriage

The marriage is broken down and cannot be saved.

C. Counseling

Counseling will not save the marriage.

D. Waiting period before decree *Check all that apply*

- (1) More than 90 days have passed since Respondent accepted service or was served with an Original Notice.
- (2) Fewer than 90 days have passed since Respondent accepted service or was served with an Original Notice, but we want the court to take action right away without a separate hearing because:

This paper explains how we would like to settle all issues in our divorce.

E. Financial affidavits *Check one*

- (1) Petitioner or Respondent has filed a Financial Affidavit (224).
If you check (1), check each that is applicable.
 - a. Petitioner has filed a Financial Affidavit. Petitioner certifies that Petitioner has fully disclosed all income and the identity and value of all assets and debts.
 - b. Respondent has filed a Financial Affidavit. Respondent certifies that Respondent has fully disclosed all income and the identity and value of all assets and debts.
- (2) We are asking that the court not require us to file Financial Affidavits because:

F. Child Support *Check all that are true*

Note: The amount of child support is determined using the Iowa Child Support Guidelines. The Iowa Department of Human Service provides a child support estimator on its website. Go to: <https://childsupport.ia.gov/>.

- (1) Petitioner shall pay child support to Respondent in the amount of \$_____per month.
- (2) Petitioner shall pay child support to a third party in the amount of \$_____per month.

Third party's full name: first, middle, last

_____, _____, _____
Present street address City State ZIP code

County

- (3) Respondent shall pay child support to Petitioner in the amount of \$_____ per month.
 (4) Respondent shall pay child support to a third party in the amount of \$_____ per month.

Third party's full name: first, middle, last

_____, _____, _____
Present street address City State ZIP code

County

- (5) Child support payments shall begin on the _____ day of _____, 20____,
Month Year

for the following children:

First, middle, & last initials of each child	Birth year	First, middle, & last initials of each child	Birth year
a.		d.	
b.		e.	
c.		f.	

Check this box if you are attaching a separate sheet listing additional children.

- (6) Check here if you want child support to be higher or lower than the Child Support Guidelines amount. *If you check (6), write the amount you want and explain why in b.*
- a. Amount requested: \$_____ per month
 b. Child support should be different from the Guidelines amount because:

G. Tax exemption

- (1) I ask the court to set the tax deduction as: *Check one for each child*

First, middle, & last initials of each child	Birth year	Parent who should now claim child for tax deduction	Every Year	Even Years	Odd Years
a.			○	○	○
b.			○	○	○
c.			○	○	○

d.			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Check this box if you are attaching a separate sheet listing additional children.

Note: The parent with custody must sign IRS Form 8332 before the non-custodial parent can take the deduction.

Tax forms are available from the IRS website: <http://www.irs.gov>.

The earned income tax credit is not the same as the tax exemption.

(2) The deduction will start in tax year _____.
Year

H. Health care expenses

I ask the court to set the health care expenses as follows: *Check all that apply*

Petitioner Respondent

- (1) will provide medical support (health insurance).
- (2) will pay the first \$_____ of uncovered medical expenses for the children. After that amount is spent, then uncovered medical expenses shall be paid _____% by Petitioner and _____% by Respondent.
- (3) shall pay cash medical support in the amount of \$_____ per month.

I. Division of personal property

Check one

- (1) We have divided our personal property. Petitioner will keep the personal property in Petitioner's possession. Respondent will keep the personal property in Respondent's possession.
If you check (1), skip to J.
- (2) Our personal property has not been divided, but we agree it will be divided as follows:
Attach additional sheets if necessary.

a. Petitioner will get the following as Petitioner's separate personal property:

b. Respondent will get the following as Respondent's separate personal property:

Note on retirement accounts and pensions: If the divorce Decree gives you or your spouse part of the other person's retirement account or pension, a separate order called a Qualified Domestic Relations Order (QDRO) must be entered. QDROs are complicated; you should ask an attorney for help with a QDRO.

J. Division of real estate

*For each parcel of real estate you own, provide the following information.
Attach a separate sheet for each additional parcel.*

(1) Ownership of real estate

Check one

- a. We do not own any real estate. *If you check a, skip to K.*
- b. We own real estate located at: _____,
Street address

in the City of _____, County of _____, and
State of _____. This land is described in the deed or contract as follows:

(2) The real estate shall be:

Check one

- a. Sold and the profit or debt divided _____% to Petitioner and _____% to Respondent.
- b. Awarded to Petitioner, subject to all liens and mortgages.
- c. Awarded to Respondent, subject to all liens and mortgages.
- d. Other *Explain* _____

(3) Additional real estate

Check this box if you are attaching separate sheets for additional parcels of real estate.

Note: Changing title to real estate is a complicated and important step in the divorce process. If you will be changing title to real estate, you should talk to an attorney.

K. Division of debts

Check all that apply

- (1) There are no debts.
- (2) We have listed all the debts that we know about and ask that they be divided as follows:
Attach additional sheets if necessary.

a. Petitioner will pay the following debts:

i. Business or person to whom a debt is owed	ii. Account number, if any <i>Last 4 numbers only</i>	iii. Total amount still owed
(a)		\$
(b)		\$

(c)		\$
(d)		\$
(e)		\$

Check this box if you are attaching a separate sheet listing additional information about Petitioner's debts.

b. Respondent will pay the following debts:

i. Business or person to whom a debt is owed	ii. Account number, if any <i>Last 4 numbers only</i>	iii. Total amount still owed
(a)		\$
(b)		\$
(c)		\$
(d)		\$
(e)		\$

Check this box if you are attaching a separate sheet listing additional information about Respondent's debts.

c. For any debt we do not know about, the spouse who made the debt will pay that debt.

Note: You may want to close any credit cards and joint bank accounts in the names of both spouses. Closing accounts may limit the funds a former spouse has access to and may limit your liability for your former spouse's debts.

L. Cash payment

We ask that

Check one

- (1) Neither Petitioner nor Respondent pay any money to the other.
- (2) Petitioner pay Respondent \$ _____ to equalize the division of property and debts by _____, 20____.
- Month Day Year*
- (3) Respondent pay Petitioner \$ _____ to equalize the division of property and debts by _____, 20____.
- Month Day Year*

Continued on next page

M. Spousal support (alimony)

Check one

We ask that:

- (1) Neither Petitioner nor Respondent pay spousal support (alimony) to the other.
(2) Petitioner pay spousal support (alimony) to Respondent as follows:

- (3) Respondent pay spousal support (alimony) to Petitioner as follows:

N. Name change

Check one

We ask that

- (1) Petitioner's name

- a. Not be changed.
b. Be changed to:

Print Petitioner's former or birth name

*Name can only be changed to
name on birth certificate or name used
immediately prior to the marriage.*

- (2) Respondent's name

- a. Not be changed.
b. Be changed to:

Print Respondent's former or birth name

*Name can only be changed to
name on birth certificate or name used
immediately prior to the marriage.*

O. Court fees

Check one

We ask that

- (1) Petitioner will pay all court fees.
(2) Respondent will pay all court fees.
(3) Petitioner and Respondent shall each pay one-half of the remaining court fees.
(4) Petitioner and Respondent shall each pay one-half of the total court fees.

P. Attorney's fees

- (1) Petitioner's attorney's fees

Check one

- a. Petitioner has no attorney's fees.
b. Petitioner will pay Petitioner's attorney's fees.
c. Respondent will pay \$_____ for Petitioner's attorney's fees.

(2) Respondent's attorney's fees

Check one

- a. Respondent has no attorney's fees.
- b. Respondent will pay Respondent's attorney's fees.
- c. Petitioner will pay \$_____ for Respondent's attorney's fees.

Q. Necessary documents

We will sign and promptly deliver to each other any papers that may be needed to carry out this Settlement Agreement.

R. Other agreements

Attach additional sheets if necessary.

Continued on next page

3. Attorney Help

Check one

A. Petitioner

- (1) An attorney did not help me prepare or fill in this paper.
(2) An attorney helped me prepare or fill in this paper.

If you check (2), you must fill in the following information:

Name of attorney or organization, if any Attorney's P.I.N. # – Ask the attorney

Business address of attorney or organization City State ZIP code

(_____) (_____) _____
Attorney's phone number Attorney's fax number – optional Attorney's email address – optional

B. Respondent

- (1) An attorney did not help me prepare or fill in this paper.
(2) An attorney helped me prepare or fill in this paper.

If you check (2), you must fill in the following information:

Name of attorney or organization, if any Attorney's P.I.N. # – Ask the attorney

Business address of attorney or organization City State ZIP code

(_____) (_____) _____
Attorney's phone number Attorney's fax number – optional Attorney's email address – optional

4. Oaths and Signatures

This Settlement Agreement addresses all issues in our divorce. We have made a full disclosure of our property and debts to each other. We want the court to approve this Agreement and make it a part of the final Decree.

A. Petitioner's Oath and Signature

I, _____, certify under penalty of perjury and pursuant to the
Print your name

laws of the State of Iowa that I have read this Settlement Agreement and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

_____, 20_____
Month Day Year Petitioner's signature*

Mailing address City State ZIP code

(_____) _____
Phone number Email address Additional email address – if available

* Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.

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B. Respondent's Oath and Signature

I, _____, certify under penalty of perjury and pursuant to the
Print your name

laws of the State of Iowa that I have read this Settlement Agreement and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

_____, 20_____
*Month Day Year Respondent's signature**

Mailing address City State ZIP code

(_____) _____
Phone number Email address Additional email address – if available

** Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*