

PATERNITY



In Iowa paternity cases, the court may on its own motion, and must on the motion of any party, require the child, mother, and alleged father to submit to blood or genetic testing. The putative father is not required to prepay for the tests if he is indigent, especially when the State initiates the action. If the alleged father fails to appear for genetic testing pursuant to a court order, the Court shall find him to be in default and enter judgment against him for paternity and support. If the test results show that the alleged father's paternity is 95% or higher, there is a rebuttable presumption that the alleged father is the biological father. Iowa Code § 600B.41(5)(b). "To challenge the test results, a party shall file a notice of the challenge, with the court, no later than twenty days after the filing of the expert's report with the clerk of the district court." Iowa Code § 600B.41(5)(a). If the test results are disputed, the court "shall order that an additional test be made by the same laboratory or an independent laboratory at the expense of the party requesting additional testing." Iowa Code § 600B.41(6). Section 600B.41A(3) gives the mother, the established father, the child, and the child's legal representative the right to file a petition to overcome paternity. If paternity is overcome, the established father is relieved of any future and unpaid support obligations from the date of filing of the order determining that he is not the father.