



# Representing Iowa's children: Legal nonprofit start-up during a pandemic yields intrinsic challenges but also opportunities

By Haley Bohlmann, Communications Director

“Over one million children go through divorce in the U.S. each year, yet many kids don’t tell anyone that their parents are divorcing,” explains Iowa Center for Children’s Justice (ICCJ) Executive Director Nicole Beaman. Valuing a child’s voice in divorce and custody disputes is what the ICCJ is all about. In fact, it is their vision.

The Iowa Center for Children’s Justice established itself as a nonprofit entity in July 2020 to support school-age children through legal representation, divorce workshops, child-focused mediation services, parenting coordination and neutral evaluation. Legal representation may be full or limited and can include preparing a child to testify, a child’s affidavit for temporary orders, voluntary or court-ordered parenting plans and more.

## Background

The first in Iowa to offer legal representation for children was Kids First which started in 2005, based out of Cedar Rapids. In 2017, a Des Moines office opened at the request of several district court judges, prominently Judge Mary Pat Gunderson and Judge Eliza Ovrom, and was made possible by fundraising mainly from the legal community led by Tim Pearson, Anjela Shutts and other attorneys.

As the work became known and services grew, different priorities for service evolved in Polk County. In early 2020, the board of directors in Cedar Rapids and an advisory board in Des Moines made the decision to part ways, allowing the organization to grow and focus on the unique needs of the greater Des Moines community. At the point of separation, the Des Moines office had already served 1,400 children in 2.5 years.

“We were surprised how different the legal landscape was from Linn County and Polk County,” states Kids First Founder Jenny Schulz. Specifically, the ICCJ focuses on the unmet needs in Polk County and contiguous Dallas County, such as dispute resolution, divorce workshops, mediation and parenting coordination. The key difference between Polk and Linn Counties for family law cases involves timelines, number of cases, restorative justice efforts and judicial preferences for children’s testimony. For example, in Polk County it is common for the ICCJ to utilize child focused or team mediation in which parents or separate parties caucus in different rooms and mediators negotiate terms. In Linn County, conference-style mediation is most common with all parties in one room.

Other differences include parenting coordination. In Central Iowa it is common for parenting coordinators to work with families to develop a parenting coordination plan, but in Eastern Iowa it is rare. Also, the Des Moines Public Schools largely concentrate on restorative justice which is a big focus for Kids First in Linn County.

Another difference involves children’s testimony. In Linn County it is common practice for children to testify in the judge’s chambers where parents are never present, while in Polk County it is more so left up to the judge’s discretion.

## Pandemic effect

“It seemed like craziness to start a nonprofit and restructure during a pandemic, but it also brought along unique opportunities,” explains ICCJ Managing Attorney Diane Dornburg. The challenge of starting a nonprofit and making decisions such as determining a name, ironing out legal details or developing a business structure are expected. Pulling it off while the world is turning upside down was an added hurdle. However, there were some silver linings.

Increased flexibility for trials to be completed by video conference during the pandemic had positive impacts for the ICCJ’s clients. The courtroom can be intimidating for children, but with virtual testimony more acceptable some of the pressure could be taken off the kids. For example, a teenage client was able to receive a decision during a virtual meeting in Diane’s office while the parents were somewhere else. It was important to the ICCJ’s client to hear the decision without the parents seeing the reaction. Ultimately, the teenager felt heard and would not have had the same reaction in-person.

ICCJ Staff Attorney Rachel Leigh began representing children as an intern at Kids First in Cedar Rapids during law school. She now has been in Des Moines for two years and explains that virtual testimony or trial is an easy transition for children because they are “used to technology with virtual schooling.”

Flexibility for children’s testimony also allows a child’s voice to be heard by the judge in a way that the child feels most comfortable. For example, one ICCJ client expressed the desire to go in-person to court in front of parents. This person had an ‘I’m ready’ mentality to testify and was able to do so in the preferred manner.

Another benefit of virtual meetings involves increased willingness of parties to engage in mediation. Parents are even more open to attending a mediation with their ex-spouses when they can do so on a screen rather than sitting in the same room. Eliminating the need for travel to mediation or meetings increased parties’ commitment to attendance as well.

## Divorce workshops & mediation services

The Iowa Center for Children’s Justice offers divorce workshops for school-age children that provide a space for kids to be with their peers who are going through the same thing. The children interact through games, discussions and videos. They are a “light, fun two hours” in which a child will





participate one time, says ICCJ Operations Manager Sarah Witt. Sarah coordinates divorce workshops which are ordered by the court. Due to the pandemic, the ICCJ workshops have been virtual since the organization became its own nonprofit. Sarah says the virtual divorce workshops are working well for two reasons: 1) It is convenient for parents because there is no travel needed for virtual workshops, and 2) Kids are familiar with virtual learning. The ICCJ plans to bring back in-person workshops but will keep a virtual option available. At the end of each workshop, the children complete a feedback survey. Some of the responses include different versions of “I’m not alone,” “It’s not my fault,” and even “TYVM” (high school kids saying thank you very much). As of March 2022, the ICCJ had served 130 children in workshops.

Unique are the ICCJ mediation services helping parents resolve child custody disputes outside of the court. The length of pending cases can make the divorce or separation process awkward and drawn-out, especially depending on the living situation. The ability to resolve through mediation can alleviate the waiting period. “Nobody else does child-inclusive mediation,” Diane says. For example, during mediation it is common for Rachel or Diane to have one meeting with the child alone to better understand the child’s perspective without any distraction. Child focused mediation is utilized by the ICCJ throughout the team mediation process in which separate parties caucus in separate rooms and the mediators negotiate.

## Impact

In 2021, the ICCJ completed cases for 46 clients and held a running average of 88 active cases in any given month. The nonprofit served 65 new court-appointed clients last year, which is no small feat with only two attorneys included on a four-person team. The impact is what keeps them driven. Judge Eliza Ovrom is now retired but previously served as a district court judge in Polk County between 1999-2018. She serves on the ICCJ board and shares how “most judges would tell you that custody decisions are among the most difficult. Every judge wants to do what is right by the children.” She further explains that “in most cases when kids’ voices are heard, the judge really listens and incorporates it into their decisions.” Having attorneys who represent the children provides opportunities for judges to better understand and make it the least traumatic experience for kids as possible.



The Iowa Children’s Center for Children’s Justice team is made up of (left to right) Executive Director Nicole Beaman, Managing Attorney Diane Dornburg, Staff Attorney Rachel Leigh and Operation Manager Sarah Witt.

## Model for other Iowa counties

The Iowa Children’s Center for Justice provides the flexibility and autonomy to meet the needs of Greater Des Moines. As Judge Ovrom explains, when the role of a child’s attorney in a case is different, accomplishing representation or services for the client is different. The ICCJ, as its own entity, proves that education and legal services for children during divorce or separation have the ability to expand across the state. Now there is a model that could be flexible enough to meet the distinctive needs of other counties.



**HOPKINS & HUEBNER, P.C.**  
ATTORNEYS AT LAW

**MEDIATION AND ARBITRATION SERVICES**

For workers’ compensation, civil litigation, and family law cases



Virtual mediations available via telephone and video conference  
**Call to Schedule: (515) 244-0111**  
[www.hhlawpc.com/mediation](http://www.hhlawpc.com/mediation)