**IN THE IOWA DISTRICT COURT FOR POLK COUNTY**

|  |  |
| --- | --- |
| IN RE THE MARRIAGE OF JOHN DOE AND JANE DOE | |
| Upon the Petition of  JOHN DOE,  Petitioner,  And Concerning,  JANE DOE,  Respondent. | CASE NO. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  **MOTION FOR MENTAL**  **EXAMINATION** |

COMES NOW Petitioner, pursuant to the provisions of Iowa Rule of Civil Procedure 1.515, and hereby moves the Court to order a mental examination of Respondent, Jane Doe, for the following reasons:

1. Respondent’s mental attitude and outlook on life and the children of the  
parties is germane to this matter as espoused in the case law of Iowa, and the matters to be taken into consideration by the court include in relevant part:

1. Characteristics of the parents, including age, character, stability, mental and physical health.
2. Capacity and interest of parents to provide for the emotional, social, moral, material and educational needs of the children.
3. Interpersonal relationship between the respective parent and the children. Taha v. Kennedy, 791 NW2d 427 (Iowa App. 2010), In re Marriage of Winter, 223 NW 2d 165, 166-67 (Iowa 1974).

2. Respondent has told Petitioner that she was diagnosed in June 2015 with  
mental illnesses including post traumatic stress disorder, severe depression, anxiety, anger issues,

and alcohol abuse. The combination of all of these diagnoses puts the children in this marriage at risk.

1. In addition, Respondent has made suicide threats over the past two years, and attempted suicide in 1998.
2. Respondent also has been told that she should not be drinking alcohol while taking her Zoloft, pain pills, and Ambien, but continues to do so regularly. This is not safe as blackouts, loss of memory, and poor decisions have all occurred due to drinking.
3. Respondent was also only recently released from probation on a deferred judgment for a felony prescription pill fraud charge related to a pain pill prescription she wrote for herself.
4. The personality and behavior of Respondent is susceptible to potential evaluation by a psychiatrist and, if necessary or expedient, a psychologist assisting the physician in mental evaluation.
5. The important issue of this marriage is the children thereof and the abiding paramount issue is the children’s custody and their ultimate welfare and, under such circumstances, it is proper for the court to order a mental examination by a psychiatrist and, if necessary, assisted by a psychologist.

WHEREFORE, Petitioner prays that an order be entered herein as to the mental examination of Respondent and for such other and further relief as the Court deems appropriate under the circumstances.

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

Mark R. Hinshaw AT0009119

1200 Valley West Drive, Ste. 208

West Des Moines, IA 50266

Telephone: 515.222.1410

Facsimile: 515.222.1408

E-Mail: [mark@hawkeyedivorce.com](mailto:mark@hawkeyedivorce.com)

ATTORNEY FOR PETITIONER