

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 2
Yeas:	Garrett, Hicks, Olson, Schaufler, Tomei, Wand, Barker, Krieger
Nays:	0
Exc.:	Nolan, Whisnant
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	3/18, 3/23

WHAT THE MEASURE DOES: Prohibits a court from changing a child custody, visitation, parenting or support order if one parent is a “deployed parent” in that the parent is in active military service. Applies until 90 days after the completion of deployment. Allows a court to modify the terms of preexisting custody order to reasonably accommodate the deployed parent’s active military service so long as the modification is in the best interest of the child. Allows a court to order visitation during military leave, contact by phone, electronic mail and other electronic means. Allows a court to modify child support to reflect a change in circumstances. Requires notice to the Administrator of the Division of Child Support, with the Department of Justice, of the branch office providing services to the county in which the motion is filed, as well as the court that the deployment has ended.

ISSUES DISCUSSED:

- Servicemembers Civil Relief Act
- High rate of divorce for service members on active duty

EFFECT OF COMMITTEE AMENDMENT: Requires notice to the Administrator of the Division of Child Support, with the Department of Justice, of the branch office providing services to the county in which the motion is filed as well as the court that the deployment has ended.

BACKGROUND: The Servicemembers Civil Relief Act of 2003, formerly known as the Soldiers’ and Sailors’ Civil Relief Act of 1940, is a federal law that gives specific rights and legal protections to people in military service. These protections apply to persons in the military full-time and reservists and National Guard on active duty. Among other things, it allows service members who are parties to a child custody matter to stay any proceedings if military service precludes attendance in court.