

Summary of state and federal statutes regarding military parents

38 states prohibit permanent modifications of custody and visitation orders while a parent is deployed.

36 states allow or require temporary custody and visitation orders to revert back after the parent returns from deployment. As of 2014 the USCA requires temporary orders to “expire not later than the period justified by the deployment of the servicemember”.

29 states limit the consideration of past, present, and future deployments in determining the best interests of the child. As of 2014 the USCA prohibits the courts from considering the absence of a parent due to deployment as the sole factor in determining the best interests of the child.

30 states provide that a parent’s absence due to military deployment is not a substantial change in circumstances that warrants a modification of an order for custody or visitation.

34 states allow the deployed parent to delegate his/her parenting time to a family member or other third party during the parent’s deployment. Some states even allow the delegation of legal custody and major decision-making authority.

42 states allow expedited hearings when a party in a family law case is deployed or a deployment is imminent. The majority of states also allow the delivery of testimony via electronic means if the deployed parent cannot personally appear for a hearing.

4 states only extend parental protections to National Guard and Reserve members. Oregon is one of these states.

15 states have all recommended provisions of the Uniform Deployed Parents Custody and Visitation Act. (Uniform Law Commission, 2012).

Only 4 states provide fewer protections for military parents than Oregon.

50 state statutes regarding military parents (updated 5/4/2017)
National Conference of State Legislatures

State	Statutory Citation
Alabama	Ala. Code § 30-3-165
Alaska	Alaska Stat. § 25.20.095
Arizona	Ariz. Rev. Stat. Ann. §25-411
Arkansas	UDPCVA: Ark. Stat. Ann. §9-21-101 et.seq. (2015 SB 792)
California	Cal. Fam. Code § 3047
Colorado	UDPCVA: Colo. Rev. Stat. § 14-13.7-101 et. seq.
Connecticut	Conn. Gen. Stat. § 46b-56e
Delaware	Del. Code Ann. tit. 13, § 727(d)
D.C.	D.C. Code Ann. § 16-914.02
Florida	Fla. Stat. § 61.13002
Georgia	Ga. Code Ann. § 19-9-1; Ga. Code Ann. § 19-9-3
Hawaii	Hawaii Rev. Stat. § 31-571-91 et. seq.
Idaho	Idaho Code § 32-720; Idaho Code §32-717; Idaho Code §15-5-104
Illinois	Ill. Rev. Stat. ch. 750, § 5/606; Ill. Rev. Stat. ch. 750, § 5/607(h); Ill. Rev. Stat. ch. 750 § 5/610
Indiana	Ind. Code § 31-14-13-6.1 through § 31-14-13-6.3; Ind. Code §31-17-2-21.1 through § 31-17-2-21.3
Iowa	UDPCVA: Iowa Code § 598C.101 et.seq. (2016 SB 2233)
Kansas	Kan. Stat. Ann. § 23-3217
Kentucky	Ky. Rev. Stat. § 403.340; Ky. Rev. Stat. § 403.320
Louisiana	La. Rev. Stat. Ann. § 9:348; La. Rev. Stat. Ann. § 9:359 et. seq.
Maine	Me. Rev. Stat. Ann. tit. 37-B, § 373; Me. Rev. Stat. Ann. Tit. 18-A, §5-104
Maryland	Md. Family Law Code Ann. § 9-108
Massachusetts	Proposed 2016/2017 Legislation: HB 797; HB 946; HB 2331
Michigan	Mich. Comp. Laws Ann. § 722.27
Minnesota	UDPCVA: Minn. Stat. Ann. § 518E.101
Mississippi	Miss. Code Ann. § 93-5-34
Missouri	Mo. Rev. Stat. § 452.413

Montana	Mont. Code Ann. § 40-4-212, 216, 219, 228, 234
Nebraska	UDPCVA: Neb. Rev. Stat. § 43-4601 et.seq. (2015 LB 219)
Nevada	UDPCVA: Nev. Rev. Stat. §125C.0601 et. seq.; Proposed 2017 Legislation: SB 133
New Hampshire	N.H. Rev. Stat. Ann. § 458-E-1 et. seq.
New Jersey	Proposed 2016/2017 Legislation: AB 3009; N.J. Rev. Stat. § 9:2-12.1;
New Mexico	N.M. Stat. Ann. § 40-10D-1 et.seq.
New York	Proposed 2017/2018 Legislation: AB 815, AB 1614, SB 2319, AB 6057; N.Y. Dom. Rel. §75-L; N.Y. Dom. Rel. §240(a-2)
North Carolina	UDPCVA: N.C. Gen. Stat. § 50-13.2
North Dakota	UDPCVA: N.D. Cent. Code § 14-09.3-01 et. seq.
Ohio	Ohio Rev. Code Ann. § 3109.04(I)
Oklahoma	Okla. Stat. tit. 43, §§ 150-150.10; Okla. Stat. tit. 43, § 112(5), 112.7; 2017 Enacted Legislation: HB 1825
Oregon	Proposed 2017 Legislation: SB 1055; Or. Rev. Stat. § 107.145; Or. Rev. Stat. § 107.169
Pennsylvania	Proposed 2017 Legislation (UDPCVA): SB 511Pa. Cons. Stat. tit. 51, § 4109
Rhode Island	R.I. Gen. Laws § 15-5-16
South Carolina	UDPCVA: S.C. Code Ann. § 63-15-500 et.seq.; S.C. Code Ann. § 63-5-920 through § 63-5-940
South Dakota	UDPCVA: S.D. Codified Laws § 25-4B-101 et.seq.
Tennessee	UDPCVA: Tenn. Code § 36-7-101 et.seq.
Texas	Tex. Family Code Ann. § 156.105; Tex. Family Code Ann. § 153.701 et. seq.
Utah	UDPCVA: Utah Code § 78B-20-101 et.seq. (2016 SB 96); Proposed 2017 Legislation: SB 237
Vermont	Vt. Stat. Ann. tit. 15 § 11-681 et. seq.
Virginia	Va. Code § 20-124.7 et. seq.
Washington	Wash. Rev. Code § 26.09.260
West Virginia	Proposed 2017 Legislation (UDPCVA): HB 2479; W. Va. Code § 48-9-404
Wisconsin	Wis. Stat. § 767.41; Wis. Stat. § 767.451(3m)
Wyoming	Wyo. Stat. § 20-2-205