

CUSTODY CHANGES during MILITARY DEPLOYMENT

RECENTLY ACTIVATED MILITARY PERSONNEL:

Do you have an Order for Parental Rights and Responsibilities and Or Parent Child Contact and have you or the other parent recently been called up for military duty?

The Vermont Family Court realizes that many of you, or the other parent, may have been called to active duty, both at home and abroad. Often there is not much time for you to get your affairs in order before deployment.

If you have an existing Order dealing with either custody of your children or contact (visitation) with them, the following information is offered to assist you in addressing issues involving your children in a timely manner.

Modification of Parental Rights and Responsibilities or Parent Child Contact Orders:

- _ If you, or the other parent, have been deployed and you have an existing Order concerning your children that address either Parental Rights and Responsibilities (Custody) and/or Parent Child Contact (Visitation) that will be affected by your deployment, you may file a Motion to Modify the Order.

- _ You should **obtain the following forms**, either from the court or from the judiciary website at: www.vermontjudiciary.org found under "Military Deployment":
 - o Emergency Motion to Modify Parental Rights and Responsibilities/Parent Child Contact based upon Military Deployment
 - o Supporting Affidavit (form 804)
 - o *****The Affidavit must be signed in front of a notary public*****
 - o Cover Sheet (form 800)

You should **attach the following documents** to the Motion:

- o Copy of your Military Order of Deployment or letter from commanding officer
- o Any other supporting information that the court would find helpful.

Bring these forms and documents to the Court for filing. The court will help you to serve these papers.

If you are able to reach an agreement with your spouse on this change, please come to the court together to complete the forms and the court can probably process them immediately.

See Pamphlet #15 **Divorcing Someone in the Military** and #32 **Modification of Court Orders** for further information.

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**You can obtain helpful information, as well as court forms at:
www.VermontJudiciary.org.**