

D R A F T  
FOR DISCUSSION ONLY

# DEPLOYED PARENTS VISITATION AND CUSTODY ACT

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NATIONAL CONFERENCE OF COMMISSIONERS  
ON UNIFORM STATE LAW

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For September 23-24, 2011 Drafting Committee Meeting

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September 7, 2011

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**DEPLOYED PARENTS VISITATION AND CUSTODY ACT**

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1                                   **DEPLOYED PARENTS VISITATION AND CUSTODY ACT**

2   **[ARTICLE] 1**

3   **GENERAL PROVISIONS**

4                   **SECTION 101. SHORT TITLE.** This [act] may be cited as the Deployed Parents  
5 Visitation and Custody Act.

6                   **SECTION 102. DEFINITIONS.** In this [act]:

7                   (1) “Adult” means an individual who is at least [18] years of age, or an emancipated  
8 minor.

9                   (2) “Child” means

10                                   (A) an unemancipated individual who has not attained [18 years of age]; or

11                                   (B) an adult son or daughter by birth, adoption, or other law of this state who is  
12 the subject of an existing order determining custodial responsibility.

13                   (3) “Close and substantial relationship” means a relationship in which a significant bond  
14 exists between a child and a non-parent.

15                   (4) “Court” means an entity authorized under law of this state other than this [act] to  
16 establish, enforce, or modify a decision regarding custodial responsibility.

17                   (5) “Custodial responsibility” means physical custody or visitation rights with respect to a  
18 child.

19                   (6) “Deploying parent” means an individual who:

20                                   (A) is either:

21   (i) a legal parent of a child under other law of this state; or

22   (ii) a non-parent with custodial responsibility of a child under other law of  
23 this state; and

1 (B) is a service member; and

2 (C) is deployed or has been notified of impending deployment.

3 (7) “Deployment” means

4 (A) the movement or mobilization of a service member for a period longer than  
5 [60] days pursuant to official orders that are:

6 (i) designated as unaccompanied;

7 (ii) for which dependent travel is not authorized; or

8 (iii) otherwise do not permit the movement of family members to that  
9 location.

10 (B) The official orders may either be:

11 (i) designated as temporary; or

12 (ii) designated as permanent, if the service member intends to return to a  
13 location in which family members are authorized not later than 18 months from the date of the  
14 movement or mobilization.

15 (C) “Deploy”, “deploying”, and “deployed” have corresponding meanings.

16 (8) “Family member” means a sibling, aunt, uncle, cousin, stepparent, or grandparent of  
17 the child.

18 (9) “Limited contact” means the opportunity for a non-parent to visit with a child for a  
19 moderate period of time, generally less than a day, which may include taking the child to a place  
20 other than the residence of the child.

21 (10) “Nondeploying parent” means an individual who:

22 (A) is, in common with the deploying parent, either:

23 (i) the legal parent of a child under other law of this state; or

1 (ii) a non-parent with custodial responsibility of a child under other law of  
2 this state; and

3 (B) is neither deployed nor has been notified of the individual's own impending  
4 deployment.

5 (11) "Non-parent" means a person other than a parent.

6 (12) "Record" means information that is inscribed on a tangible medium or that is stored  
7 in an electronic or other medium and is retrievable in perceivable form.

8 (13) "Service member" means a member of the Uniformed Service.

9 (14) "State" means a state of the United States, the District of Columbia, Puerto Rico, and  
10 the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction  
11 of the United States.

12 (15) "Uniformed service" means:

13 (A) active and reserve components of the Army, Navy, Air Force, Marine Corps,  
14 or Coast Guard of the United States;

15 (B) the Merchant Marine, the commissioned corps of the Public Health Service,  
16 or the commissioned corps of the National Oceanic and Atmospheric Administration of the  
17 United States; or

18 (C) the National Guard and state militia.

19 **SECTION 103. REMEDIES FOR NONCOMPLIANCE WITH [ACT].** In addition  
20 to any other appropriate relief provided by the law of this state, if the court finds that a party to a  
21 proceeding under this [act] has acted in bad faith, or otherwise deliberately failed to comply with  
22 this [act] or a court order issued under this [act], the court may assess attorney's fees and costs of  
23 the opposing party and order other appropriate relief.

1           **SECTION 104. JURISDICTION.**

2           (a) A court of this state is authorized to hear and resolve proceedings pursuant to this  
3 [Act].

4           (b) A court may enter an order regarding custodial responsibility pursuant to this [act]  
5 only when the court has jurisdiction pursuant to [cite to the Uniform Child Custody Jurisdiction  
6 and Enforcement Act]. If the court has rendered a temporary order regarding custodial  
7 responsibility pursuant to Articles 2 or 3, or the deploying parent has executed a Power of  
8 Attorney in this state pursuant to Article 2, the deploying parent shall be deemed to reside in this  
9 state for the purposes of [cite to the Uniform Custody Jurisdiction and Enforcement Act] during  
10 the duration of the deployment. If a court in another state has rendered a temporary order  
11 regarding custodial responsibility as a result of current or impending deployment or the  
12 deploying parent has executed a Power of Attorney in the other state,, a court of this state shall  
13 deem the deploying parent to reside in that state for the purposes of [cite to the Uniform Child  
14 Custody Jurisdiction and Enforcement Act] during the duration of the deployment. This section  
15 does not prohibit the exercise of temporary emergency jurisdiction by the court under [cite to the  
16 Uniform Child Custody Jurisdiction and Enforcement Act].

17           **SECTION 105. DUTY TO NOTIFY COURT OF CHANGE OF ADDRESS.** Any

18 nondeploying parent or non-parent to whom custodial responsibility or limited contact has been  
19 assigned or delegated pursuant to Articles 2 or 3 shall notify the court of any change of mailing  
20 address until the assignment or delegation has been terminated.

[ARTICLE] 2

1           **NON-JUDICIAL PROCEEDINGS UPON NOTICE OF DEPLOYMENT**

2           **SECTION 201. NOTICE REQUIRED TO NONDEPLOYING PARENT.**

3           (a) Except as otherwise provided in subsection (b), a deploying parent shall, in a record,  
4           notify the nondeploying parent or other deploying parent of deployment not later than [7] days  
5           after receiving notice of deployment. The notice must state the arrangements for custodial  
6           responsibility and legal custody? of the child during deployment that the deploying plans to  
7           make.

8           (b) If an existing court order requires that the address or contact information of the  
9           nondeploying parent not be disclosed, the notification shall be made only to the court, which  
10          shall forward the notification to the nondeploying parent.

11          (c) Failure to timely notify the other parent without good cause may be found to be  
12          contrary to the best interests of the child in future proceedings regarding custodial responsibility  
13          between the parents.

14           **SECTION 202. DELEGATION OF CUSTODY OR LIMITED CONTACT BY**

15          **POWER OF ATTORNEY.** Subject to the limitations set out in Article 3, a deploying parent,  
16          through executing a notarized power of attorney, may:

17           (1) delegate [his or her] custodial responsibility during the term of deployment to a  
18           nondeploying parent, an adult family member, or an adult with whom the child has a close and  
19           substantial relationship; or

20           (2) delegate [his or her] custodial responsibility during the term of deployment to be  
21           shared between a nondeploying parent, an adult family member, and an adult with whom the  
22           child has a close and substantial relationship;

1 (3) delegate limited contact to a family member of the child or a person with  
2 whom the child has a close and substantial relationship.

3 **SECTION 203. DELEGATION OF POWERS ACCOMPANYING CUSTODIAL**  
4 **RESPONSIBILITY.** A deploying parent who executes a power of attorney delegating custodial  
5 responsibility pursuant to section 202 may also delegate any of the powers of the deploying  
6 parent regarding decisionmaking, care, custody, or property of the child to the person to whom  
7 custodial responsibility is delegated, if the deploying parent may not be in a position regularly to  
8 exercise these powers.

9 **SECTION 204. NATURE OF DELEGATION BY POWER OF ATTORNEY.**  
10 Delegations of custodial responsibility or limited contact pursuant to Section 202, and  
11 delegations of powers pursuant to Section 203, create no independent right to custodial  
12 responsibility, limited contact, or powers in the person to whom they are delegated. These  
13 delegations are temporary in nature, and will terminate following the conclusion of deployment  
14 according to the procedures set out in Article 4, if the delegations have not been terminated  
15 before that time by order of the court.

16 **SECTION 205. STANDING TO ENFORCE DELEGATION TO NON-PARENTS.**  
17 A non-parent who has been delegated custodial responsibility, any attendant powers, or limited  
18 contact pursuant to this [article] has standing to enforce the delegation until it has been  
19 terminated pursuant to Articles 3 or 4.

20 **SECTION 206. FORM AND PROCEDURES FOR POWER OF ATTORNEY.**

21 (a) A power of attorney executed pursuant to this article must:

22 (1) designate the delegation of custodial responsibility or limited contact to be  
23 temporary;

1 (2) identify the deployment that is the basis for the power of attorney;  
2 (3) specify the delegation of custodial responsibility between the deploying  
3 parent, the nondeploying parent, and any non-parent, if applicable, including the specific powers  
4 that accompany this assignment;

5 (4) specify any delegation of limited contact to a non-parent;

6 (5) specify the frequency, duration, and means, including electronic means, by  
7 which the deploying parent will have contact with the child, and any role [, including sharing the  
8 costs,] to be played by the nondeploying parent in facilitating this communication;

9 (6) specify liberal contact between the deploying parent and child during the time  
10 the deploying parent is on leave or is otherwise available unless it is contrary to the best interests  
11 of the child;

12 (7) specify that the power of attorney will terminate following the end of the  
13 deployment according to the procedures set out in Article 4, if it has not been previously  
14 modified or terminated pursuant to Article 3;

15 (b) Not later than [1] day from its notarization, the deploying parent shall mail a copy of  
16 the power of attorney to any nondeploying parent or other deploying parent of the child, and mail  
17 or deliver a copy to any non-parent to whom custodial responsibility or limited contact is  
18 delegated.

19 **[ARTICLE] 3**

20 **JUDICIAL PROCEEDINGS FOLLOWING NOTICE OF AND DURING**  
21 **DEPLOYMENT**

22 **SECTION 301. PETITION FOR TEMPORARY CUSTODY ORDER.** After a

23 deploying parent receives notice of deployment, either parent may file a new action for

1 temporary custodial responsibility or limited contact with a child, or file a petition in an existing  
2 action regarding custodial responsibility for temporary custodial responsibility or limited contact  
3 with the child that is consistent with other sections of this [Act].

4 **SECTION 302. EXPEDITED HEARING.** After a deploying parent receives notice of  
5 deployment, on request by either parent, the court shall grant an expedited hearing if feasible on  
6 any matter pertaining to custodial responsibility, including a nondeploying parent’s opposition to  
7 the deploying parent’s delegation of custodial responsibility pursuant to Sections 202 and 203.

8 **SECTION 303. ELECTRONIC TESTIMONY.** A deploying or nondeploying parent  
9 involved in a proceeding pursuant to this [article] who is reasonably unavailable to appear  
10 personally may request to participate in the hearing through electronic means, including giving  
11 testimony and providing evidence. The request shall be granted if the participation is practicable  
12 and would not create a substantial injustice.

13 **SECTION 304. EFFECT OF JUDICIAL DECREE, AGREEMENT, OR POWER**  
14 **OF ATTORNEY.** In a proceeding for a temporary order pursuant to this Article, the following  
15 rules apply:

16 (1) Any prior judicial decree containing provisions designating custodial responsibility  
17 of a child in the event of deployment are binding on the court unless:

18 (A) a [substantial] change of circumstances has occurred that was not foreseeable  
19 at the time of the prior judicial decree; and

20 (B) the designation of custodial responsibility in the decree is not in the best  
21 interests of the child. There is a rebuttable presumption that the designation of custodial  
22 responsibility in the decree is in the best interests of the child.

23 (2) Any prior written agreement between the deploying parent and nondeploying parent

1 or two deploying parents for designating custodial responsibility of a child in the event of  
2 deployment shall be enforced by the court unless it is not in the best interests of the child. There  
3 is a rebuttable presumption that the agreement is in the best interests of the child.

4 (3) If the deploying parent has executed a power of attorney delegating custodial  
5 responsibility of a child during deployment, and the nondeploying parent objects to this  
6 delegation of custodial responsibility, no presumption exists as to whether the delegation is in the  
7 best interests of the child, and the court shall resolve the issue of custodial responsibility  
8 consistent with the best interests of the child.

9 (4) If a deploying parent has executed a power of attorney delegating limited contact with  
10 a child, there is a rebuttable presumption that allowing limited contact is in the best interests of  
11 the child.

12 **SECTION 305. TEMPORARY NATURE OF CUSTODY ORDER.** After a  
13 deploying parent receives notice of deployment and for the duration of the deployment,  
14 a court may render a temporary order for custodial responsibility consistent with 50 U.S.C.  
15 Appx. Sections 521 and 522, The Servicemembers Civil Relief Act. The court may not enter a  
16 permanent order regarding custodial responsibility without the consent in a record of the  
17 deploying parent.

18 **SECTION 306. ASSIGNMENT OF CUSTODIAL RESPONSIBILITY TO NON-**  
19 **PARENT.** On the request of a deploying parent, and in accordance with other law of this state,  
20 the court may assign custodial responsibility of a child to a non-parent who is an adult family  
21 member of the child or an adult with whom the child has a close and substantial relationship if:

22 (a) except as otherwise provided in subsection (b), the assignment of custodial  
23 responsibility is for an amount of time equal to or less than either:

1 (1) the amount of time assigned to the deploying parent in an existing permanent  
2 custody order; or

3 (2) in the absence of an existing permanent custody order, the amount of time that  
4 the deploying parent regularly cared for the child before being notified of deployment;

5 (b) the amount of time assigned to a non-parent, however, may be increased because of  
6 atypical travel time required to transport the child between the nondeploying parent and the non-  
7 parent; and

8 (c) the assignment is in the best interests of the child.

9 **SECTION 307. ASSIGNMENT OF POWERS ACCOMPANYING CUSTODIAL**  
10 **RESPONSIBILITY TO NON-PARENT.** Consistent with the best interests of the child, a  
11 court who assigns custodial responsibility to a nonparent pursuant to Section 306 may also assign  
12 any of the powers of the deploying parent regarding decisionmaking, care, custody, or property  
13 of the child to the non-parent if the deploying parent may not be in a position regularly to exercise  
14 these powers.

15 **SECTION 308. ASSIGNMENT OF LIMITED CONTACT.** On motion of a  
16 deploying parent, and in accordance with other law of this state other than this [act], the court  
17 shall assign limited contact with the child of a deploying parent to an individual who is either a  
18 family member of the child or a person with whom the child has a close and substantial  
19 relationship, unless this contact would be contrary to the best interests of the child. A rebuttable  
20 presumption exists that allowing limited contact is in the best interests of the child.

21 **SECTION 309. NATURE OF ASSIGNMENTS TO NON-PARENTS.** Assignments  
22 of custodial responsibility or limited contact pursuant to Sections 306, 308, and delegations of  
23 powers pursuant to Section 307, create no independent right to custodial responsibility, limited

1 contact, or powers in the person to whom they are assigned. These assignments are temporary in  
2 nature, and will terminate following the conclusion of deployment according to the procedures  
3 set out in Article 4, if the assignments have not been terminated before that time by order of the  
4 court.

5 **SECTION 310. STANDING TO ENFORCE ASSIGNMENT TO NON-PARENTS.**

6 A non-parent who has been assigned custodial responsibility, any attendant powers, or limited  
7 contact pursuant to this [article], has standing to enforce the order of the court making these  
8 assignments until the assignments have been terminated.

9 **SECTION 311. PROVISIONS OF TEMPORARY CUSTODY ORDER. A**

10 temporary order for custodial responsibility rendered under this [article] must:

- 11 (1) designate the order as a temporary order;
- 12 (2) identify the deployment that is the basis for the order;
- 13 (3) specify the allocation of custodial responsibility between the deploying parent, the  
14 nondeploying parent, and any non-parent, if applicable;
- 15 (4) specify any specific powers that accompany the assignment of custodial  
16 responsibility;
- 17 (5) specify the frequency, duration, and means by which the deploying parent may have  
18 as liberal contact as is practicable with the child, including by electronic or other means, and any  
19 role [, including sharing the costs,] to be played by the nondeploying parent in facilitating this  
20 contact;
- 21 (6) order liberal contact between the deploying parent and child during the time the  
22 deploying parent is on leave or is otherwise available unless contrary to the best interests of the  
23 child;

1 (7) specify any assignment of limited contact to a non-parent;

2 (8) at the court's discretion, if the order provides for custodial responsibility in both the  
3 nondeploying parent and a non-parent, provide a process to resolve any disputes that may arise;  
4 and

5 (9) specify that the order will terminate by further order of the court following the  
6 conclusion of deployment according to the procedures set out in Article 4.

7 **SECTION 312. ORDER FOR CHILD SUPPORT.** When a court has rendered an  
8 order on custodial responsibility under this [article], or a power of attorney has been executed  
9 pursuant to Article 2, the court may, on motion of either parent [or an adult to whom temporary  
10 custodial responsibility has been delegated or assigned], and with appropriate jurisdiction under  
11 [the Uniform Interstate Family Support Act]:

12 (1) enter a temporary order for child support consistent with the laws of this state; and

13 (2) require the deploying parent to enroll the child to receive military dependent benefits,  
14 to the extent the child is eligible.

15 **SECTION 313. MODIFYING OR TERMINATING DELEGATION OR**  
16 **ASSIGNMENT OF CUSTODIAL RESPONSIBILITY TO NON-PARENT.**

17 (a) Except as otherwise provided in subsection (b), on motion of a deploying or  
18 nondeploying parent, the court shall modify or terminate custodial responsibility for, or limited  
19 contact with, a child that has been delegated or assigned pursuant to this [act] if doing so  
20 comports with other sections of this [act] and is consistent with the best interests of the child.

21 (b) On motion of a deploying parent, the court shall terminate limited contact with a  
22 child that has been delegated or assigned pursuant to this [act] if the termination comports with  
23 other sections of this [act].

1 [ARTICLE] 4

2 PROCEDURES FOLLOWING RETURN FROM DEPLOYMENT

3 [[do we need provision that requires SM to give notice of return from deployment?]]

4  
5 SECTION 401. PETITION TO TERMINATE TEMPORARY CUSTODY

6 ARRANGEMENT. At any point in time following After? a deploying parent’s return from  
7 deployment, a deploying parent may file a petition to terminate the temporary custody  
8 arrangement either in a new action for custodial responsibility of a child, or in an existing action  
9 regarding custodial responsibility that is consistent with other sections of this [Act]. [[Do we  
10 need to authorize suit by other parent or non-parent to hang onto custody??]]

11 SECTION 402. VISITATION BEFORE TERMINATION OF TEMPORARY

12 ORDER. Following return from deployment of a deploying parent until the time that a  
13 temporary arrangement for custodial responsibility entered pursuant to Articles 2 or 3 is  
14 terminated, the deploying parent has the right of reasonable contact with the child, which may  
15 include more time than the deploying parent spent with the child before entry of the temporary  
16 order to allow the deploying parent an opportunity to reestablish a bond with the child.

17 SECTION 403. CONSENT PROCEDURE FOR TERMINATING TEMPORARY  
18 CUSTODY ARRANGEMENT ESTABLISHED THROUGH POWER OF ATTORNEY.

19 (a) If a temporary arrangement for custodial responsibility was established by power of  
20 attorney pursuant to Article 2, at any time following return from deployment, a deploying parent  
21 may terminate the temporary arrangement through executing an agreement to terminate the  
22 temporary arrangement that is signed in the presence of a notary public by:

- 23 (1) the deploying parent;
- 24 (2) any nondeploying parent or other deploying parent, unless they did not

1 exercise custodial responsibility during the term of deployment; and

2 (3) any non-parent who was assigned custodial responsibility during the term of  
3 deployment.

4 The agreement may either state that the power of attorney has been terminated or that it will be  
5 terminated as of a future date certain.

6 (b) Once an agreement that conforms to subsection (a) has been signed, the temporary  
7 arrangement [ [?and the power of attorney]] terminates on the date specified in the agreement.

8 **SECTION 404. CONSENT PROCEDURE FOR TERMINATING TEMPORARY**  
9 **CUSTODY ARRANGEMENT ESTABLISHED THROUGH COURT ORDER.**

10 (a) If a temporary arrangement for custodial responsibility was established by a court  
11 order pursuant to Article 3, at any time following return from deployment, a deploying parent  
12 may file with the court a joint motion to terminate the temporary custody arrangement that has  
13 been signed by the deploying parent, the nondeploying parent or other deploying parent, if any,  
14 and any non-parent who has been assigned custodial responsibility under this [act]. The motion  
15 should state the date on which the temporary custody arrangement should be terminated.

16 (b) Once a joint motion for resumption of prior custody arrangement has been filed, the  
17 court shall enter an order terminating the temporary custody order on the date specified in the  
18 joint motion.

19 **SECTION 405. UNILATERAL PROCEDURE FOR TERMINATING**  
20 **TEMPORARY CUSTODY ARRANGEMENT.**

21 (a) Not later than six months following return from deployment, a deploying parent who  
22 seeks to terminate a temporary arrangement for custodial responsibility entered pursuant to  
23 Articles 2 or 3 may file with the court a motion to terminate the temporary arrangement. The

1 motion must state the date by which the deploying parent seeks that the power of attorney or  
2 temporary order should be terminated, which may be not sooner than [30] days after the notice is  
3 filed. A copy of the motion must be sent to the nondeploying parent or other deploying parent,  
4 and to any non-parent who has been delegated or assigned custodial responsibility during  
5 deployment but the motion may be sent only to the court if a court order requires the address or  
6 other contact information of recipients of the notice not be disclosed. If the motion is sent only  
7 to the court, the court shall notify the nondeploying parent, other deploying parent, and any non-  
8 parent.

9 (b) If a nondeploying parent, other deploying parent, or a non-parent who has been  
10 delegated or assigned custodial responsibility does not object within [30] days of the filing of the  
11 motion for termination of the temporary arrangement, the court shall enter an order terminating  
12 the temporary arrangement on the date requested by the deploying parent.

13 (c) If a nondeploying parent, other deploying parent, or a non-parent who has been  
14 delegated or assigned temporary custodial responsibility objects within [30] days from the filing  
15 of the motion for termination of the temporary arrangement, the court shall hold an expedited  
16 hearing as soon as practicable, unless an expedited hearing is waived by the deploying parent.

17 (d) Unless the court finds that termination of the temporary arrangement is likely to cause  
18 the child substantial harm, the court shall enter an order terminating the temporary arrangement.  
19 In determining whether the termination of the temporary arrangement is likely to cause the child  
20 substantial harm, the court shall consider whether any such harm can be ameliorated through a  
21 gradual reversion to the previous arrangement for custodial responsibility or in some other  
22 manner.

23 (e) If the court determines that termination of the temporary arrangement is likely to

1 cause the child substantial harm, the court shall order that the temporary arrangement shall  
2 remain in effect until further order of this court or another court with jurisdiction.

3 **SECTION 406. POST-HEARING PROCEDURES FOR MODIFICATION OR**  
4 **RESUMPTION OF PERMANENT CUSTODY ARRANGEMENT.** If the court has  
5 determined that terminating a temporary arrangement for custodial responsibility entered  
6 pursuant to Articles 2 or 3 would likely cause the child substantial harm, the following  
7 procedures apply:

8 (1) Any person with standing, including the deploying parent, may file a motion to  
9 modify the permanent custody order, or to enter a permanent custody order if there is no existing  
10 permanent custody order. If a motion to modify the permanent custody order is filed not later  
11 than six months from the court’s refusal to terminate the temporary arrangement for custodial  
12 responsibility, the court shall hold an expedited hearing on the issue of permanent custody as  
13 soon as practicable, unless the deploying parent waives an expedited hearing.

14 (2) The deploying parent may file another motion to terminate the temporary custody  
15 arrangement on the ground of [substantial] change of circumstances under other law of this state.  
16 If a motion to terminated the custody arrangement is filed, the court shall hold an expedited  
17 hearing on the motion as soon as practicable, unless an expedited hearing is waived by the  
18 deploying parent.

19 **[ARTICLE] 5**

20 **CONSIDERATION OF PARENT’S SERVICE IN CUSTODY PROCEEDINGS WHEN**  
21 **NO DEPLOYMENT IS PENDING**

22 **SECTION 501. GENERAL CONSIDERATION OF PARENT’S SERVICE IN**  
23 **CUSTODY PROCEEDINGS.** In all proceedings for custodial responsibility of a child of a

1 service member, except for a proceeding for temporary custody pursuant to Articles 2 or 3, the  
2 court may not consider the parent’s military service, including past deployment or possible future  
3 deployment, as a negative factor in determining the best interests of the child. However, the  
4 material effects on the child of the parent’s past or possible future absence because of  
5 deployment may be considered.

6 **[ARTICLE] 6**

7 **MISCELLANEOUS PROVISIONS**

8 **SECTION 601. UNIFORMITY OF APPLICATION AND CONSTRUCTION.** In

9 applying and construing this uniform act, consideration must be given to the need to promote  
10 uniformity of the law with respect to its subject matter among states that enact it.

11 **SECTION 602. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL**

12 **AND NATIONAL COMMERCE ACT.** This [act] modifies, limits, or supersedes the  
13 Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001; et seq.,  
14 but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or  
15 authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15  
16 U.S.C. Section 7003(b).

17 **SECTION 603. TRANSITION PROVISION.** The passage of this [act] does not affect

18 the validity of court orders concerning custodial responsibility that were entered before the  
19 effective date of this [act].

20 **SECTION 604. EFFECTIVE DATE.** This [act] takes effect . . . .

21 **Miscellaneous provisions suggested by commissioners:**

22 **( ) This Act does not change other law of this state that provides a role for the child**  
23 **in the determination of the custody arrangements for that child.**