



JUN 06 2011

Senate Veterans Affairs & Emergency Preparedness Committee

Senator Lisa Baker, Chair

Diane McNaughton, Executive Director

Senate Box 203020, Harrisburg, Pennsylvania 17120-3020 • 717-787-7428

MEMORANDUM

TO: All Senators

DATE: June 6, 2011

FROM: *LB* Senator Lisa Baker

SUBJECT: Assignment of Custody Rights during a Military Deployment

Please join me in co-sponsoring legislation to ensure that members of the military who are party to a custody arrangement have the ability to petition the courts to temporarily assign their custody rights to one or more relatives while they are deployed. The court may grant the request to reassign temporary custody if it finds the reassignment to be in the best interest of the child. Any custody reassignment would end when the service member's deployment ends.

The enactment of this legislation has been identified as a priority of the U.S. Department of Defense and is modeled after legislation enacted in several other states.

The bill is similar to Senate Bill 1221 of last session, with one added change that was requested by the Department of Defense. This addition would allow members of the military affected by a custody issue to testify via the Internet, telephone or teleconference if they give reasonable advance notice, show good cause, and are otherwise unable to appear in court in person due to their military duties.

Senate Bill 1221 of last session was cosponsored by Senators Pileggi, Robbins, Farnese, Ward, Washington, Alloway, Boscola, Brubaker, Costa, Erickson, Ferlo, Folmer, Fontana, Musto, Mensch, O'Pake, Ori, Pippy, Rafferty, Stout, M. White, Williams and Tomlinson.

This issue was recently spotlighted in a Press Enterprise article entitled "Battle on the Home Front." It detailed a couple's quest to see their grandson when their son was deployed and their emotional legal battle to modify the existing custody order to allow them to be a part of their grandson's care. This issue has affected many other military families with small children as well.

If you wish to cosponsor this proposal, please contact Liz Clancy by email at lclancy@pasen.gov or by phone at (717) 787-7428. Thank you for your consideration.