

DEPLOYING PARENTS

The Virginia Military Parents Equal Protection Act

Parents and guardians who are deploying pursuant to military orders have special legal protections before, during and after their deployment, to ensure they can maintain relationships with their children:

- Any court order changing the limit of the deploying parent's custodial or visitation rights due to the deployment shall specify in the order that the change is *due to the deployment* and that *the order is temporary*.
- The non-deploying parent must provide the Court written notice of a change of address and/or telephone number *30 days in advance of such change*.
- Upon return from deployment, the deploying parent may amend the temporary order for custody or visitation by *filing a motion* with the Court. A hearing will be within *30 days of that filing*.
- In the absence of any court order for custody, visitation or support of a child of a deploying parents, any petition regarding those issues must include the fact that the parent is deploying to *expedite the proceedings*. Establishing the parent's deployment status in their petition helps to ensure that the parent will have *access to their child* and that reasonable support and other orders will be in place to protect the parent-child (or guardian-child) relationship.
- Court orders entered as a result of a temporary order under VMPEPA shall provide that the nondeploying parent shall ***reasonably accommodate the leave schedule of the deploying parent***, the nondeploying parent shall ***facilitate opportunities for telephonic and e-mail contact*** with the deploying parent during the deployment, and that the deploying parent must ***provide timely information regarding his or her leave schedule*** to the nondeploying parent.