

Part 2. Agreement Addressing Custodial Responsibility During Deployment.

§ 50A-360. Form of agreement.

(a) The parents of a child may enter into a temporary agreement granting custodial responsibility during deployment.

(b) An agreement under subsection (a) of this section shall be (i) in writing and (ii) signed by both parents or any nonparent to whom custodial responsibility is granted.

(c) An agreement under subsection (a) of this section may include the following:

- (1) To the extent feasible, identify the destination, duration, and conditions of the deployment that is the basis for the agreement.
- (2) Specify the allocation of caretaking authority among the deploying parent, the other parent, and any nonparent, if applicable.
- (3) Specify any decision-making authority that accompanies a grant of caretaking authority.
- (4) Specify any grant of limited contact to a nonparent.
- (5) If the agreement shares custodial responsibility between the other parent and a nonparent, or between two nonparents, provide a process to resolve any dispute that may arise.
- (6) Specify (i) the frequency, duration, and means, including electronic means, by which the deploying parent will have contact with the child; (ii) any role to be played by the other parent in facilitating the contact; and (iii) the allocation of any costs of communications.
- (7) Specify the contact between the deploying parent and child during the time the deploying parent is on leave or is otherwise available.
- (8) Acknowledge that any party's existing child-support obligation cannot be modified by the agreement, and that changing the terms of the obligation during deployment requires modification in the appropriate court.
- (9) Provide that the agreement terminates following the deploying parent's return from deployment according to the procedures under Part 4 of this Article.
- (10) If the agreement must be filed pursuant to G.S. 50A-364, specify which parent shall file the agreement. (2013-27, s. 3.)