

**Effective 7/1/2016**

**Part 4  
Return from Deployment**

**Effective 7/1/2017**

**78B-20-401 Procedure for terminating temporary grant of custodial responsibility established by agreement.**

- (1) At any time after return from deployment, a temporary agreement granting custodial responsibility under Part 2, Agreement Addressing Custodial Responsibility During Deployment, may be terminated by an agreement to terminate signed by the deploying parent and the other parent.
- (2) A temporary agreement under Part 2, Agreement Addressing Custodial Responsibility During Deployment, granting custodial responsibility terminates:
  - (a) if an agreement to terminate under Subsection (1) specifies a date for termination, on that date; or
  - (b) if the agreement to terminate does not specify a date, on the date the agreement to terminate is signed by the deploying parent and the other parent.
- (3) In the absence of an agreement under Subsection (1) to terminate, a temporary agreement granting custodial responsibility terminates under Part 2, Agreement Addressing Custodial Responsibility During Deployment, 60 days after the deploying parent gives notice to the other parent that the deploying parent returned from deployment.
- (4) If a temporary agreement granting custodial responsibility was filed with a court pursuant to Section 78B-20-205, an agreement to terminate the temporary agreement shall also be filed with that court within a reasonable time after the signing of the agreement. The case number and heading of the case concerning custodial responsibility or child support shall be provided to the court with the agreement to terminate.

Enacted by Chapter 292, 2016 General Session

**Effective 7/1/2017**

**78B-20-402 Consent procedure for terminating temporary grant of custodial responsibility established by court order.**

At any time after a deploying parent returns from deployment, the deploying parent and the other parent may file with the court an agreement to terminate a temporary order for custodial responsibility issued under Part 3, Judicial Procedure for Granting Custodial Responsibility During Deployment. After an agreement has been filed, the court shall issue an order terminating the temporary order effective on the date specified in the agreement. If a date is not specified, the order is effective immediately.

Enacted by Chapter 292, 2016 General Session

**Effective 7/1/2017**

**78B-20-403 Visitation before termination of temporary grant of custodial responsibility.**

After a deploying parent returns from deployment until a temporary agreement or order for custodial responsibility established under Part 2, Agreement Addressing Custodial Responsibility During Deployment, or Part 3, Judicial Procedure for Granting Custodial Responsibility During Deployment, is terminated, the court shall issue a temporary order granting the deploying parent

reasonable contact with the child unless it is contrary to the best interest of the child, even if the time of contact exceeds the time the deploying parent spent with the child before deployment.

Enacted by Chapter 292, 2016 General Session

***Effective 7/1/2017***

**78B-20-404 Termination by operation of law of temporary grant of custodial responsibility established by court order.**

- (1) If an agreement between the parties to terminate a temporary order for custodial responsibility under Part 3, Judicial Procedure for Granting Custodial Responsibility During Deployment, has not been filed, the order terminates 60 days after the deploying parent gives notice to the other parent and any nonparent granted custodial responsibility that the deploying parent has returned from deployment.
- (2) A proceeding seeking to prevent termination of a temporary order for custodial responsibility is governed by the law of this state other than this chapter.

Enacted by Chapter 292, 2016 General Session