518E.306 GRANT OF CARETAKING OR DECISION-MAKING AUTHORITY TO NONPARENT.

(a) On motion of a deploying parent and in accordance with law of this state other than this chapter, if it is in the best interests of the child, a court may grant caretaking authority to a nonparent who is an adult family member of the child or to another adult. The individual who is granted caretaking authority must have a close and substantial relationship with the child.

(b) Unless a grant of caretaking authority to a nonparent under paragraph (a) is agreed to by the other parent, the grant is limited to an amount of time not greater than:

(1) the amount of time granted to the deploying parent under a permanent custody order, but the court may add unusual travel time necessary to transport the child; or

(2) in the absence of a permanent custody order that is currently in effect, the amount of time that the deploying parent habitually cared for the child before being notified of deployment, but the court may add unusual travel time necessary to transport the child.

(c) A court may grant part of a deploying parent's decision-making authority to a nonparent who is an adult family member of the child or another adult only if granting part of the deploying parent's decision-making authority is in the best interests of the child and the deploying parent is unable to exercise that authority. The individual who is granted decision-making authority must have a close and substantial relationship with the child. If a court grants the authority to a nonparent, the court shall specify the decision-making powers granted, including decisions regarding the child's education, religious training, health care, extracurricular activities, and travel.

History: *2015 c 30 art 4 s 6*