

Testimony of Senator Mike Folmer
House Judiciary Committee Hearing: SB 1107
1:00 p.m., Tuesday, August 26th
140 Main Capitol

Chairman Caltagirone and Members of the House Judiciary Committee, **thank you** for the opportunity to talk about Senate Bill 1107. SB 1107 addresses child custody proceedings during periods of military deployment overseas.

Attached to my testimony are articles from NPR and military.com that detail some of the problems that soldiers – both men and women – have had with child custody during their deployments.

Consider the case of Tanya Towne, a divorced mother of two who was granted custody of both her sons but lost custody of one while she was deployed overseas.

Or, consider the case of Marine Corporal Levi Bradley, a divorced father who was faced with the challenge of serving in Iraq while trying to deal with changes in the custody arrangements of his son back in the United States.

Given the many stresses that are placed on our military, I do not believe that they should have the added problems of having to worry about losing custody of their children – not because they're bad parents, but, rather, because they have been deployed overseas by their country.

While a bill recently signed into law by the President strengthens protections for service members and their families, a number of concerns remain – including some legal experts. The fear is that military moms and dads could still be vulnerable to problems with child custody.

The goal of SB 1107 is to ensure that we are not punishing our soldiers by forcing them to decide between their families and service to their country.

SB 1107 does this by freezing child custody arrangements in place at the time a soldier is deployed overseas. When a soldier returns from a deployment, a custody battle may resume. However, while overseas, a soldier cannot lose custody if custody was previously granted.

Prior to unanimous passage by the full Senate, SB 1107 was amended twice. One amendment integrated the Military Code (Title 51) with Pennsylvania's Domestic Relations Code (Title 23). The other amendment clarified the custody proceedings as they relate to deployed military personnel.

I hope this Committee will report SB 1107 to the full House for consideration. In the interim, I would be happy to answer any questions you may have.

Attachments