



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

OPNAVINST 1740.4D
N135
27 Oct 09

OPNAV INSTRUCTION 1740.4D

From: Chief of Naval Operations

Subj: U.S. NAVY FAMILY CARE POLICY

Ref: (a) DoD Instruction 1342.19 of 13 Jul 92
(b) MILPERSMAN
(c) OPNAVINST 6000.1C
(d) National Defense Authorization Act (NDAA) for
Fiscal Year 2008, Sec 586
(e) OPNAVINST 3060.7B
(f) DoD Instruction 1400.32 of 24 Apr 95
(g) SECNAVINST 5211.5E
(h) SECNAVINST 1920.6C

Encl: (1) Term Definitions
(2) Sample Power of Attorney for Family Care Plan
(3) Family Care Plan Checklist

1. Purpose. To assist Service members in developing workable family care plans, establish procedural requirements and outline legal options. References (a) through (h) apply. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 1740.4C.

3. Applicability and Scope. Service members who meet the criteria defined in this instruction are required to complete and maintain a current family care plan. The policy and guidance within this instruction is effective immediately. This instruction does not create a right, entitlement, cause of action, or defense in favor of any individual and does not supersede a preexisting or subsequent separation agreement, court order, child custody order, or divorce decree that addresses child custody and support issues. Family care plans are mission planning tools that obligate the Service member to establish and document plans to care for minor children and adult family members/dependents while the Service member is absent. To be effective, family care plans must consider and comply with applicable State and Federal laws governing child

custody and parental rights. Existing family care plans for all personnel should be reviewed for compliance with this instruction.

4. Background

a. Family Care Planning in the Military. The nature of naval service dictates that Service members must be ready to deploy throughout the world, on short notice, and be able to fully execute their military duties. For Service members with minor children or adult family members/dependents, the ability to meet this requirement is directly related to the degree of prior family care planning. Ensuring proper care for the Service member's minor children and adult family members/dependents reduces stress on the Service member and strengthens a deployable asset for the command. Reference (a) provides guidance and establishes minimum standards for family care planning throughout the Department of Defense (DoD).

b. Legal Effectiveness Outside of the Military. The family care plan is a planning tool. Family care plans are subject to court orders addressing child custody or support issues and cannot change, modify, or supersede existing court orders. The family care plan may not be legally binding on third parties, non-military personnel, and non-military institutions. Without legal formalities, the family care plan may not be accepted by or enforceable against the natural or adoptive parent(s) of the minor child(ren) in question, other persons or agencies with a legal interest in the child(ren)'s wellbeing, public and private schools, day care providers, health care providers, and courts. Exclusive reliance on a family care plan without the assistance of implementing court orders or written agreements from natural or adoptive parents, non-military personnel or institutions, may result in challenges to custody and/or denial of services by institutions.

c. When single, domestically separated, and/or divorced Service members with minor children are required to travel unaccompanied for extended periods of time (e.g., training exercises, temporary duty (TEM DU), deployments, and unaccompanied tours), there is a possibility that the other natural or adoptive parent of the minor children, or others with legally enforceable custody rights will challenge the family

care plan or existing court orders and seek to create or modify the custody and support status of the Service member's minor children. This action can only be addressed through detailed and thorough planning and action. Single, domestically separated, and divorced Service members with minor children should contact a legal assistance office for advice and assistance in evaluating the effectiveness of their proposed family care plan and complying with any legal formalities necessary to prevent unwanted challenges to custody and support arrangements.

5. Definitions. The terms used in this instruction are defined in enclosure (1).

6. Requirements

a. The Service member has the responsibility to ensure family members/dependents are cared for during deployments, reserve mobilizations, and TEMDU, as well as at all other times during which the Service member is unavailable. The primary responsibility for initiating and developing a workable family care plan rests with the individual Service member. It is also the responsibility of the Service member to provide the designated caregiver with all information and documentation needed to execute the family care plan and provide for the Service member's minor children or adult family members/dependents. Formal documentation of a family care plan is required of the following:

(1) A Service member, with primary or shared physical custody of a minor child or children, who is not married to the other natural or adoptive parent of the minor child or children.

(2) Both members of a married dual military couple where one or both have primary or shared physical custody of a minor child or children.

(3) Service members who are legally responsible for an adult family member who is incapable of providing for themselves in the absence of the Service member.

(4) Family circumstances or other personal status changes may result in a Service member becoming legally and

27 Oct 09

primarily responsible for the care of another person and necessitate implementation of a family care plan. Such circumstances include, but are not limited to:

(a) Birth, adoption, or guardianship of a minor child or children.

(b) Loss of a spouse through death, separation or divorce, or spouse's injury or illness is of such a nature that the spouse is unable to care for minor children or adult family members/dependents.

(c) Enlistment (or commissioning) in any military service (Active or Reserve component) by a spouse resulting in a dual military couple with minor children or adult family members/dependents.

(d) Assumption of legal responsibility for the sole care for an elderly, disabled, or chronically sick family member who is unable to care for themselves in the absence of the Service member.

(e) Extended, recurring, or other absence of a civilian spouse through career/job commitments or personal reasons which, in the opinion of the commanding officer (CO), may affect the Service member's deployability.

(f) A family member who has a limited command of the local language or is unable to drive or otherwise gain access to basic life-sustaining facilities, i.e., food and medical care. For example, Service members who are assigned with their family to an isolated location and/or have family members/dependents who have limited language or communication skills in the country of residence may require a family care plan.

b. The family care plan shall designate one or more caregivers, as defined in enclosure (1), who agree to provide for the Service member's minor children and/or adult family members/dependents. NAVPERS 1740/6, Department of the Navy Family Care Plan Certificate and NAVPERS 1740/7, Family Care Plan Arrangements, shall be used to document the family care Plan. The Service member shall submit these forms through the chain of command as part of the family care plan package. Specific requirements include:

(1) NAVPERS 1740/6 includes a statement that the NAVPERS 1740/7 is attached and contains information pertinent to the location of important papers, military facilities, services, benefits, and entitlements of family members. NAVPERS 1740/6 shall be signed by the caregiver(s), the Service member, and, where possible, other party(ies) legally entitled to custody of the children or family members/dependents. Where the signature of the other party(ies) who are legally entitled to custody of the children or family members/dependents is not obtained, the reason for the absence of the signature shall be noted on the form.

(2) A new NAVPERS 1740/6 will not normally be required when a family care plan is updated unless the caregiver, or the conditions under which the caregiver will provide care, have changed.

(3) Legal documents, such as powers of attorney, prepared for the caregiver (enclosure (2) provides a sample), executed custody or separation agreements, custody or support orders, divorce decrees, and other related documents shall be reviewed in conjunction with the family care plan but not retained at the command.

c. The family care plan shall include written provisions for:

(1) Short-term absences (e.g., temporary additional duty requirements, pre-deployment workups, training exercises, and periods of annual training or short-term involuntary recall for inactive reservists).

(2) Long-term absences (e.g., deployments, unaccompanied tours, and periods of long-term involuntary recall for inactive reservists).

(3) Other kinds of absences (e.g., normal/extended working hours, watches, weekend duty) are at the discretion of the CO. The CO's decision should take into account the individual member's level of responsibility.

(4) The financial wellbeing of family members/dependents covered by the family care plan during separations. Arrangements should include power(s) of attorney, allotments, the review of any

child support orders or other appropriate means to ensure the self-sufficiency and financial security of family members/dependents. Service members should provide support for family members/dependents per reference (b), article 1754-030. Use of allotments is strongly encouraged and may be arranged through the member's financial institution and the local disbursing office.

(5) Medical and legal support necessary to ensure continuity of care for family members/dependents.

(6) Relocation, if necessary, of the caregiver and/or family to a new location. Consideration of a non-military escort for family members/dependents requiring assistance such as infants, children, or elderly disabled adults, should be outlined when family considerations dictate.

Note: Relocation of minor child(ren) may violate civil and criminal laws if the act of relocation interferes with the legally established custody and/or visitation rights of natural or adoptive parents or others with a legal right to visit the child(ren). Additionally, many school systems and childcare facilities will not accept a power of attorney for enrollment. If minor children are relocated and will be enrolled in a new school or childcare facility, such institutions may require a court order to establish proper custody of the child(ren).

(7) Verification of consent from all natural and adoptive parents, and other legal custodians, regarding the planned designation of custody or guardianship of a minor child or written documentation that reasonable efforts have been made to obtain such consent. In the alternative, proof of a court order reflecting that the planned designation is acceptable. Where a separation agreement, court order, or divorce decree addressing child custody and support issues is in force, the family care plan should be consistent with such court agreement, order, or decree.

(8) Any other information deemed necessary by the CO or the Service member that would be needed by the command to execute the Service member's family care plan.

d. All Service members required under this instruction to complete a family care plan shall designate a caregiver who, in the event of the death or incapacitation of the Service member,

will assume temporary responsibility for the minor children until a natural or adoptive parent or legal guardian assumes custody either by order of a court of competent jurisdiction or operation of law. The name, address, and telephone number(s) of the person so designated shall be recorded on NAVPERS 1070/602, Dependency Application/Record of Emergency Data Remarks section, and on NAVPERS 1740/6. This temporary designation is not a substitute for the appointment of a legal guardian in a will.

Note: In the event of the Service member's death or incapacitation, powers of attorney and the family care plan will only serve to advise family members/dependents of the Service member's intentions. Powers of attorney are ineffective in addressing custody matters where the principal is deceased or incapacitated. Service members should plan for this contingency in testamentary documents and through other legal action as may be necessary to confirm their expectations and directives regarding custody of their child(ren) in the event of the Service member's death or incapacitation.

e. Military mothers of newborns shall be deferred from travel away from the home station for 12 months following the delivery (reference (c) pertains). This provision is to assist the Service member in developing a family care plan and to establish a pattern of childcare. Single Service members or one Service member of a military couple who adopt a child shall receive the same consideration for 4 months following the date the child is placed in the home as part of the formal adoption process per reference (a). Similarly, Reserve component Service members shall be deferred from involuntary recall to active duty for 4 months following delivery or adoption placement. The deferment is terminated if the Service member gives up custody of the child or voluntarily cancels the deferment in writing.

f. Per reference (d), Service members meeting the conditions of subparagraphs 6a(1) and (2) that may be deployed in an area for which imminent danger pay is authorized, shall be allowed to request a deferment of deployment due to unforeseen circumstances. Requests for deferment will be considered and responded to promptly.

(1) Service members on active duty should make such requests to their CO. COs can grant deferments for up to 4 months. Requests for additional time should be forwarded to

Navy Personnel Command (NAVPERSCOM). Enlisted requests should be forwarded to NAVPERSCOM, Enlisted Distribution Division (PERS-40), Humanitarian Assignment (PERS-40HH). Officer requests should be forwarded to the respective detailers/placement officers.

(2) Ready Reservists who are in receipt of mobilization orders to an area for which imminent danger pay is authorized but, due to unforeseen circumstances, are unable to execute their family care plan should request mobilization deferment per reference (e).

g. While DoD, and the Navy, does not have the authority to direct emergency essential (E-E) civilian and contractor personnel to prepare a family care plan, the Navy strongly encourages personnel in these positions, per references (a) and (f), to establish family care plans consistent with this instruction.

7. Action

a. Service members who meet the criteria as defined in this instruction shall:

(1) Submit a new or updated family care plan to the CO, or designated representative, within 60 days (90 days for ready reservists) of the following:

(a) Upon change of a previously designated caregiver.

(b) Upon the birth, adoption, assumption of guardianship of a child, or assumption of sole care for an elderly or disabled family member.

(c) Upon change in personal or family circumstances.

(d) Upon reporting to a new duty station.

(e) Upon receipt of this instruction.

(2) Verify the family care plan for currency under the following conditions:

27 Oct 09

(a) Annually.

(b) Prior to reenlistment or extension of obligated service.

(c) Prior to negotiating for orders and then prior to executing permanent change of station orders, especially to training (advanced, "A" or "C" schools, graduate education, scholarship/commissioning/out-service education programs, etc.)

(d) Prior to affiliation, enlistment, or reenlistment in the Selected Reserve.

Note: If mitigating circumstances are involved, the CO may grant an additional 120 days to submit an acceptable family care plan. The additional time to complete the family care plan is intended to accommodate those Service members who are actively in the process of obtaining written agreements or court orders and have advised the command of their actions and progress. Further extensions are not authorized. Service members whose family or personal status changes shall notify the CO as soon as possible, but not later than 30 days following the occurrence of a change in status. This 30-day notification period does not change the requirement for establishing or updating the family care plan within 60 days.

(3) Utilize enclosure (3) to assist in developing and reviewing the adequacy of family care plans.

b. Each Service member who is part of a married dual military couple must provide a family care plan which is consistent with their spouse's plan. Both Service members shall maintain a copy of their family care plan with their respective command. In the event that a family care plan is not or cannot be established, NAVPERSCOM, Head, Enlisted Performance and Separations Branch (PERS-832)/Head, Officer Performance and Separations Branch (PERS-834) or Head, Reserve Enlisted Status Branch (PERS-913) will determine, based on the needs of the Navy, which Service member will be separated. In the instance of dual military couples with one party a non-Navy service member, the Navy Service member shall complete a family care plan per this instruction. A copy of the Navy's Family Care Plan, signed by both Service members, will be forwarded to the other Service member's unit. The Navy Service member will also

27 Oct 09

provide their command with a copy of the family care plan filed with their spouse's Service. The details described in each family care plan should be reviewed for consistency. In this manner, both member's command and Service can remain fully informed concerning the Service members' family care plan.

c. Service members required to have a family care plan who are being screened for overseas assignment will be required to submit or update their family care plan to cover any period of absence by the Service member due to following circumstances:

(1) Between the departure of the Service member for, and the arrival of the family members/dependents at, the overseas assignment.

(2) In the event of an unaccompanied tour.

d. COs shall:

(1) Ensure that all members of their command are informed of the requirements of this instruction.

(2) Ensure that all members of their command who are required to complete a family care plan do so per this instruction.

(3) Establish a collateral duty billet for a family care plan coordinator.

(4) Ensure the Service member's family care plan is maintained at the command, per reference (g).

(5) Ensure that all family care plans are reviewed for adequacy and discussed with the Service member, upon submission and annually, using the checklist (enclosure (3)).

(6) Ensure that administrative separation (ADSEP) processing is initiated for Service members who are unable to, or refuse to, maintain a current family care plan, do not maintain world-wide assignable status, or are unable to perform their professional and military duties. Grounds for separation and procedures for ADSEP processing will be per current ADSEP directives (references (b), article 1910-124, and (h)). Refer

ADSEP packages to NAVPERSCOM (PERS-832) for active enlisted, NAVPERSCOM (PERS-834) for active and reserve officers, or NAVPERSCOM (PERS-913) for reserve enlisted).

(7) Ensure that E-E civilian and contractor personnel meeting the criteria in subparagraph 6a are encouraged to develop a family care plan, per references (a) and (f).

e. The family care plan coordinator's functions are to:

(1) Act as the CO's designated representative with regards to this instruction.

(2) Manage the command's family care plan program.

(3) Assist command Service members in the preparation of individual family care plans. The family care plan coordinator should refer Service members to the Fleet and Family Service Center (FFSC) and/or legal assistance office for information.

f. The immediate superior in command (ISIC) shall include review of family care plan programs during periodic ISIC inspections of subordinate commands, units and installations.

g. FFSCs shall provide information, assistance, and counseling in the development of a family care plan. Information provided by the FFSC shall cover subjects and problem areas faced by families when a Service member deploys (i.e., separation anxiety, coping skills, parenting tips, stress management, schooling, financial arrangements, and location of key documents). While FFSCs have a role in support of COs and Service members in developing family care plans, responsibility for family care plans shall not be delegated to an FFSC.

h. Installation commanders shall:

(1) Ensure caregivers are permitted to use installation facilities, on behalf of the Service member, in caring for family members/dependents during the absence of the Service member. Such access shall be granted based on family care plan forms, agent letters, letters of authorization or powers of attorney as may be necessary to provide authorized entitlements

to the member's family. Access shall be granted with proper documentation per reference (a) regardless of the issuing branch of Service or Reserve component category.

(2) Ensure FFSCs under their command provide services as delineated in this instruction.

8. Responsibility. Office of the Chief of Naval Operations (OPNAV), Personal Readiness and Community Support (N135) shall establish policy and ensure the family care plan meets command, Service member, and family member needs.

9. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy (SECNAV) Manual 5210.1 of November 2007.

10. Forms

a. The following forms are available on Naval Forms Online at <https://navalforms.daps.dla.mil/web/public/home>.

(1) NAVPERS 1070/602 (Rev. 7-72), Dependency Application/Record of Emergency Data.

(2) NAVPERS 1740/6 (Rev. 11-06), Department of the Navy Family Care Plan Certificate.

(3) NAVPERS 1740/7 (Rev. 11-06), Family Care Plan Arrangements.

b. DD 2365 (Feb 00), Overseas Emergency-Essential Position Agreement, DoD Civilian Employee is available on DoD's Forms Management Program Web site at <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>.



M. E. FERGUSON III
Vice Admiral, U.S. Navy
Deputy Chief of Naval Operations
(Manpower, Personnel, Training
and Education)

OPNAVINST 1740.4D
27 Oct 09

Distribution:

Electronic only, via Department of the Navy Issuances Web site
<http://doni.daps.dla.mil>

TERM DEFINITIONS

ADULT DEPENDENT: An individual, not a minor, under applicable law, who is incapable of caring for, and/or providing for, themselves and is the ward of a Service member by court order or is listed on the Service member's NAVPERS 1070/602 as a family member.

CAREGIVER: An individual who is at least 21 years of age, capable of providing care and maintenance to the minor children and/or adult family members/dependents of the Service member, and who is lawfully entitled or obligated to assume custodial responsibilities, or has the express written consent of the Service member to assume such responsibility.

Note: The use of members of the Active and Reserve component to serve as caregivers is inherently risky. This category of caregiver is subject to the same obligations as the Service member creating the family care plan. If the Active or Reserve component Service member's caregiver is deployed, mobilized or recalled, the child(ren) or adult family member/dependent will be left without a caregiver. If the Service member caregiver is not the natural or adoptive parent of the minor child(ren), or a person legally authorized to care for the adult family member/dependent, they are without authority to appoint an alternate caregiver. It is strongly recommended that only non-Service members serve as caregivers.

COUNSEL: Communication from the CO (or representative) regarding the unique demands of military service as it relates to personal and family responsibilities and the necessity for realistic family care arrangements to ensure Service members are available for world-wide duty. Communication will provide information on Navy directives and policy regarding the required care of, and provision for maintenance of, minor children and adult family members/dependents in the event the Service member is unavailable to provide said care and maintenance. Such counseling will include reference to this instruction, and its provision to the Service member, with specific guidance on the consequences for failure to comply.

DEPENDENTS: Individuals who are designated on NAVPERS 1070/602 as a family member/dependent of the Service member.

27 oct 09

DUAL MILITARY COUPLE WITH FAMILY MEMBERS OR DEPENDENTS: Active-duty or reserve Service members serving in the United States military (including the United States Coast Guard) who are married to each other and have legal physical custody as parents (or pursuant to a court order) and joint responsibility for the care of children and/or adult dependents.

EMERGENCY ESSENTIAL (E-E) CIVILIAN: A civilian employee who occupies a position that is located overseas or would be transferred overseas during a crisis and has signed a DD 2365, Overseas Emergency-Essential Position Agreement, DoD Civilian Employee. The position is required to ensure the success of combat operations or to support combat essential systems subsequent to mobilization or an activation order. The position cannot be converted to a military position because it requires uninterrupted performance to provide immediate and continuing support for combat operations, or to support maintenance and repair of combat essential systems.

FAMILY CARE CERTIFICATE (NAVPERS 1740/6): The form that Service members, Active and Ready Reserve, who are single parents, dual military couples, and Service members with primary or shared physical custody of minor children must complete to ensure they are world-wide deployable.

FAMILY CARE PLAN: A group of documents that identify and outline, on service-specific forms, the person(s) who shall provide care for the Service member's children and/or adult family members/dependents, what those services are, and how they are to be provided. The plan outlines arrangements made by the Service member to address their obligation to provide for their minor children and/or adult family members/dependents. The plan must contemplate and address all reasonably foreseeable situations and be sufficiently detailed and systematic to provide for a smooth, rapid transfer of responsibilities to the caregiver in the absence of the Service member. The plan will include, but not be limited to, consideration of the following: medical, dental, health, educational, nutritional, housing, financial, and supervisory needs of minor children and/or adult family members/dependents.

FAMILY CARE PLANNING: The process of planning in advance for the care of minor children and/or adult family members/dependents. The planning is the initiative taken by the Service

27 Oct 09

member to use all available military and private sector resources to ensure adequate care, support, and supervision for covered family members during the Service member's absence.

FAMILY MEMBERS: Includes those individuals for whom the Service member is legally obligated to provide support. This includes, but is not limited to, minor children, persons with disabilities, and others for whom the Service member is legally obligated to care for and who are unable to care for themselves in the absence of the Service member.

MINOR CHILDREN: Individuals under the age of 19 or not emancipated under State law (where it is the applicable law), for whom the Service member has a legal obligation to provide for the care and maintenance. The term children shall refer to either one child or two or more children. Minor children shall specifically include all natural or adopted children and all legal wards of the Service member.

PRIMARY PHYSICAL CUSTODY: The status of having possession of a minor child or children and primary responsibility for the care and wellbeing of the child or children. This status may be indicated by judicial decree, birth, or physical possession of the child for periods in excess of 6 months.

READY RESERVE: Military members of the Reserve organized in units, or as individuals, liable for recall to active duty to augment the Active component in time of war or national emergency. The Ready Reserve consists of both the Selected Reserve and Individual Ready Reserve.

SERVICE MEMBER: Includes any Service member of the U.S. Navy on active duty or in the Ready Reserve; members of the U.S. Marine Corps assigned to Navy units; and, the Coast Guard when it is operating as a military service in the Navy. The term "active duty member" when used herein refers to Active component and Reserve component members on active duty in excess of 30 consecutive days.

SEPARATED: In the domestic sense, the status of being married and living apart from one's spouse due to marital discord with or without a judicial determination of the legality of the separation or any legal obligations that may be imposed as a result of the separation.

SHARED PHYSICAL CUSTODY: A Service member who by court order or agreement has temporary physical responsibility for the care and wellbeing of a minor child for a limited period of time. This status may be indicated by judicial decree, birth, or physical possession of the child for periods up to and including 6 months.

SINGLE PARENT: A Service member with primary or shared physical custody of a child and who is not now, is no longer, or has never been married to that child's biological or adoptive parent. A Service member who is living separately and apart from their spouse in excess of 60 days and has primary or shared physical custody of a that child or children.

27 Oct 09

SAMPLE POWER OF ATTORNEY FOR FAMILY CARE PLAN**SPECIAL POWER OF ATTORNEY**

PREAMBLE: This is a military power of attorney prepared pursuant to Title 10, United States Code, §1044b, and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney by the laws of a State, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effect as a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

KNOW ALL PERSONS: That I, (**GRANTOR NAME**) ("Grantor" or Principal"), currently residing at **ADDRESS** do hereby state that I am in the United States Navy and make this Power of Attorney in anticipation of my temporary absence and inability to directly care for my children. In compliance with and furtherance of my Family Care Plan, by this document I do make and appoint (**GRANTEE NAME**) ("Grantee", "Agent" or "Attorney in Fact"), whose address is (**GRANTEE ADDRESS**) as my true and lawful attorney-in-fact to act as follows, granting unto my said attorney full power to perform any and all parental acts, as fully to all intents and purposes as I might or could if personally present, to act for me and in my name, place and stead in all particulars for the purposes of providing care, for obtaining food, shelter, clothing, education and medical care for the following child(ren):

Name: «ChildName1», Date of Birth: «Child1DOB»
Name: «ChildName2», Date of Birth: «Child2DOB»
Name: «ChildName3», Date of Birth: «Child3DOB»

Such acts shall include, but are not limited to, discipline, maintenance, supervision, arbitration of disputes, enrollment in school, sports or other activities, and consent to any and all medical and dental care and/or treatment necessary and appropriate for the general health and welfare of said children including hospitalization and surgery that is considered necessary and appropriate.

**SAMPLE POWER OF ATTORNEY FOR FAMILY CARE PLAN
SPECIAL POWER OF ATTORNEY**

Should official orders or public safety directive issue a demand for the evacuation from the area in which my children are residing, my attorney-in-fact has full power and authority to perform any acts or functions and execute any documents necessary to accomplish the prompt and safe evacuation of my children from said area or to any other place in accordance with directions of proper evacuation authority or otherwise in the best interests of my said child(ren).

In the event that a conflict should arise between my appointed agent and attorney-in-fact and any person asserting a legal right to my children, it is my wish that my rights under the Service members Civil Relief Act and any other State or Federal laws protecting the parental and custodial rights of military parents be enforced and that the children be allowed to remain with my appointed agent and attorney-in-fact pending full adjudication by a court of competent jurisdiction.

TERMINATION: This power shall remain in full force and effect until «**DateOfTermination**», unless sooner revoked or terminated by me.

Notwithstanding my insertion of a specific expiration date herein, if on the above specified expiration date I shall be, or have been, carried in a military status of "missing", "missing-in-action" or "prisoner of war", then this power of attorney shall automatically remain valid and in full effect until 60 days after I have returned to the United States military control following termination of such status. This power of attorney shall not be affected by the disability of the Grantor or Principal.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day, (**DATE**).

Grantor's Signature

SAMPLE POWER OF ATTORNEY FOR FAMILY CARE PLAN

SPECIAL POWER OF ATTORNEY

ACKNOWLEDGEMENT BY NOTARY PUBLIC

STATE OF _____
COUNTY/CITY OF _____, SS.

The foregoing instrument was acknowledged before me, by
(GRANTOR NAME) on (DATE).

Notary Public

Print Name

My commission expires: _____
Notary Registration No# _____

OR:

ACKNOWLEDGEMENT BY MILITARY NOTARY PUBLIC

Serving with the Armed Forces at _____, SS

The foregoing instrument was acknowledged before me, by
(GRANTOR), on (DATE). I do further certify that I am a person
in United States Armed Forces authorized to exercise the powers
of a Notary Public under Title 10 U.S.C. 1044a and JAGMAN
Chapter IX.

Signature

NO SEAL REQUIRED

Print Name,
Rank,
Service

FAMILY CARE PLAN CHECKLIST

The following checklist is designed to assist Service members in developing and updating family care plans. The checklist should not be considered all-inclusive and should be modified as the circumstances of each individual or the command dictate. Additional information and assistance is available from the command family care plan coordinator, FFSCs, legal assistance offices, Navy-Marine Corps Relief Society counselors, child development centers, Navy Operational Support Centers and civilian social services organizations.

1. Qualified caregiver(s) designated and Family Care Plan established for:

- Short-term absences (temporary additional duty, pre-deployment workups, training exercises).
- Long-term absences (deployments, mobilizations).

2. Family Care Plan contains provisions for:

- Financial wellbeing of family members.
 - Allotments.
 - Bank accounts and access.
- Logistical arrangements for:
 - Movement of family members/caregivers(s) to include financial, medical, and legal support arrangements which may be required.
 - Non-military escort for family members/dependents needing assistance (children, elderly, disabled).
 - Legal review for relocation of minors subject to custody and visitation orders.
 - Legal review for relocation of minors without the consent of the natural or adopted parent.
 - Care of home/quarters.
 - Family contacts.
 - Language translator (if required).
 - School arrangements.
 - Verification that new schools will accept minor children for enrollment.

27 Oct 09

- Additional documents needed to enroll minor children in school, court orders, powers of attorney, local forms.
- Use of government services (commissary, exchange, etc.)
- Crisis/disaster situations.

- Medical/dental arrangements.
 - Location of medical/dental/immunization records.
 - Special or unusual needs or therapy.
 - Medication requirements and prescriptions.
 - Names/location of medical/dental providers.
 - Desires/directions in the event of a medical emergency.
 - Access to military medical treatment (use of military hospitals and clinics, TRICARE (CHAMPUS), etc.)
 - Private insurance (TRICARE Supplement, MEDICARE/MEDICAID, etc.)
 - Power of attorney for caregiver to allow the provision of medical treatment.

- Legal arrangements:
 - Name/location of attorney.
 - Will up-to-date and location recorded on NAVPERS 1070/602.
 - Power(s) of attorney.
 - Person who will assume temporary responsibility for child(ren) in the event of death or incapacitation of the Service member recorded on NAVPERS 1070/602.
 - Tax arrangements.
 - Family member military identifications/social security numbers.
 - Insurance policies (life, medical, property, fire, etc.)
 - Court documents for care and custody of minor children and adult dependents.
 - Legal review of existing court orders for custody and visitation for minor children.
 - Legal review of plans to relocate minor children and/or adult family members/dependents without the written consent of both natural or adoptive parents.

27 Oct 09

3. Caregiver(s) briefed by Service member on:

- Responsibility under the Family Care Plan.
- Logistical, financial, medical, and legal arrangements.
- Possible challenges to custody, visitation, and support of minor children and adult family members/dependents.
- Child care/behavioral changes.
- Location of important documents including powers of attorney, separation agreements, court orders, divorce decrees addressing child custody and support issues.
- Locations, points of contact, and types of support available from:
 - Fleet and Family Service Centers.
 - Navy-Marine Corps Relief Society.
 - Child development centers.
 - Navy Operational Support Centers.
 - Community and family support groups.
 - Civilian social service organizations.
- Parental goals.
- Command points of contact.

4. NAVPERS 1740/6, signed by caregiver(s) and Service member acknowledging responsibilities of the caregiver under the Family Care Plan and the receipt of a thorough briefing by the Service member on available military facilities, services, benefits, entitlements of family members/dependents as well as financial and logistical arrangements in the plan, documented on NAVPERS 1740/7. New forms are not required when updating the Family Care Plan unless there is a change in the caregiver or the status under which the caregiver will provide care.

Yes No

5. Caregiver provided necessary legal documents required for care of family members and access to military facilities.

Yes No

6. Contingency plans and alternate caregivers(s) identified in the event that primary caregivers are unable to perform their responsibilities. Yes No

7. Escort and family member/dependent care arrangements in the event of a noncombatant evacuation operation, or if other evacuation, is implemented (as required for overseas assignments). Yes No

8. Completed Family Care Plan package on file with command, or designated location, in case of underway operations. Yes No