



VSBS MLS SAILOR LEGAL READINESS SUPPORT

Navy Family Care Plan OPNAVINST 1740.4D



The nature of naval service dictates that servicemembers must be ready to deploy throughout the world, on short notice, and be able to fully execute their military duties. For servicemembers with minor children, the ability to meet this requirement is directly related to the degree of prior family care planning. Ensuring proper care for the servicemember's minor children reduces stress on the servicemember and strengthens a deployable asset for the command.

The FCP instruction works as a military custody planning document. It provides for the temporary care (custody) minor children and dependent adults in the absence of a parent. 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. To be effective, family care plans must consider and comply with applicable State and Federal laws governing child custody and parental rights.

The family care plan designates one or more caregivers, who agree to provide for the Servicemember's minor children and/or adult family members/dependents. Servicemembers will use NAVPERS 1740/6 (Rev 2-11), Department of the Navy Family Care Plan Certificate and NAVPERS 1740/7 (Rev 2-11), Family Care Plan Arrangements to document the family care Plan. These forms will be submitted to the chain of command as part of the family care plan package.

If you are a:

1. Servicemember 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. Member of a married **dual military couple** where one or both have primary or shared physical custody of a minor child or children
3. Servicemember who is **legally responsible for an adult** family member who is incapable of providing for themselves in the absence of the Service member
4. You must have a family care Plan
5. You must submit a new or updated family care plan within 90 days of a major change in circumstance: Change of a previously designated caregiver; Birth, adoption, assumption of guardianship of a child, or assumption of sole care for an elderly or disabled family member; Upon change in personal or family circumstances (Divorce); Upon reporting to a new duty station; Upon receipt of this instruction
6. CO may grant an additional 120 days to submit an acceptable Family Care Plan
7. Use NAVPERS 1740/6 (Rev. 02-11) and NAVPERS 1740/7 (Rev. 02-11)

The Family Care Plans are made functional in the REAL WORLD by court orders. The process to turn a custody agreement into a court order can take 30 to 120 days. Start early, plan ahead, seek legal assistance to get guidance on the legal aspects of your custody situation.