

Legal Resources

Grandfamilies.org provides a searchable database of laws and legislation affecting grandfamilies in all 50 states. Technical assistance, relevant resources and publications are also available.

You can get information online at grandfamilies.org

Montana Judicial Branch's Court Help Program

is a free service provided by the Montana Supreme Court to assist people with civil, non-criminal legal problems. They cannot give you legal advice or represent you in court, but can provide you with legal information and direct you to resources that will help you help yourself.

You can get information online at courts.mt.gov/selfhelp

Montana Legal Services Association

is a non-profit law firm that empowers income-eligible people by providing legal information, advice, and other services free of charge. Family law and will clinics are held at select locations in the state.

You can get information online at mtlsa.org or by calling **(800) 666-6899**

Current Montana Laws Benefitting Grandfamilies

MCA 40-6-501 allows grandparents to enroll their grandchildren in school when the adult children cannot be located, if the legal requirements, including completion of an educational authorization affidavit, are met. You can download the affidavit from the MT GRG Project website: montanagrandparents.org

MCA 40-6-502 allows grandparents medical authority for their grandchildren when the adult children cannot be located and, if the legal requirements, including completion of a relative medical authorization affidavit, are met. You can download the affidavit from the MT GRG Project website: montanagrandparents.org

MCA 40-6-601 & 602 state that if grandchildren are left with grandparents for longer than six months, and it is unclear if, or when, the parent will return and re-take child custody, grandchildren do not have to be returned immediately to the parent when the parent returns. If the grandparent files an affidavit with the court containing all of the items required by law, the child may remain with the grandparent for five days while the court reviews the situation and issues an order regarding the custody of the child.

MCA 40-4-212, 40-4-228 & 40-9-102 state that grandparents may petition the court for grandparent visitation over the objections of the natural parents.



Montana Grandparents Raising Grandchildren Project

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The Montana State University Extension is an ADA/EO/AA/Veteran's Preference Employer and Provider of Educational Outreach.

