

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA
JUVENILE COURT DIVISION**

IN RE: : **NO. 6608**
: **215 MDA 2019**
J.W.B, and R.D.B., :
Minor children :

Dated: *February 11, 2019*

**OPINION IN SUPPORT OF THE ORDER OF JANUARY 4, 2019, IN COMPLIANCE
WITH RULE 1925(a)(2) OF THE RULES OF APPELLATE PROCEDURE**

The Appellant, LWB, (hereinafter referred to as “Appellant”) has appealed this Court’s Order docketed on January 4, 2019, which terminated his parental rights following a hearing on an action to Confirm Consent to Adoption or, alternatively, Involuntarily Terminate Parental Rights filed by AS and MS on June 13, 2018. Appellant’s appeal was timely filed on February 1, 2019. As this appeal is a children’s fast track appeal, appellant’s Concise Statement of the Matters Complained of on Appeal as described in Pa.R.A.P. 1925(a) was filed with the Notice of Appeal. Appellant submits that this Court erred in terminating his parental rights generally and in the following particulars:

1. Failing to properly apply 23 Pa.C.S. §2711(c) which states “any consent given outside this Commonwealth shall be valid for the purposes of this section if it was given in accordance with the laws of the jurisdiction where it was executed;”
2. Failing to apply Colorado law with respect to the validity of the consent as required by 23 Pa.C.S. §2711(c);
3. In relying on the case of In re: Adoption of J.A.S., 939 A.2d 403 (Pa.Super. 2007) to support the Court’s opinion where that case is inapplicable. J.A.S. involved two Pennsylvania parents and not a parent who resides out of state.

4. In holding that a Colorado resident is required to revoke consent in writing within 30 days pursuant to 23 Pa.C.S. §2711(c)(1)(i) where no such requirement exists in Colorado and indeed Colorado law permits revocation of consent up to and including the date of hearing;
5. In holding that Father was required to challenge the validity of the consent pursuant to 23 Pa.C.S. §2711(c)(3)(i)(A) where Colorado law has no such requirement.
6. In terminating parental rights based on a consent document that was void *ab initio* in accordance with Colorado law, where Father resides and where the consent document was executed.

This Court has reviewed the Concise Statement of the Matters Complained of on Appeal filed by the Appellant on February 1, 2019. The Order of January 4, 2019, is a comprehensive accounting of the evidence presented including this Court's findings of facts and legal analysis. The Court relies on that Order as its Opinion for this appeal pursuant to Pa.R.A.P. 1925(a).

By the Court,

Joy Reynolds McCoy, Judge