

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

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|--------------------|----------|----------------------|
| IN RE: | : | NO. 2023-6874 |
| | : | |
| CG, | : | |
| | : | |
| Minor child | : | |

OPINION AND ORDER

AND NOW, this 4th day of **January, 2024**, before the Court is Lycoming County Children & Youth Services' ("Agency") Petition for Involuntary Termination of Parental Rights of CL ("Mother") and MG ("Father") filed on June 7, 2023, with regard to CG ("Child"). A hearing on the Petition for Involuntary Termination of Parental Rights was held on December 20, 2023. Mother failed to appear and was represented by E. Vincent Reeves, Esquire. Father was present and represented by Trisha Hoover Jasper, Esquire. John Pietrovito, Esquire, Solicitor for the Agency, and Angela Lovecchio, Esquire, counsel for the Child, were also present at the hearings.

Findings of Facts

CG was born pre-term at 32 weeks at UPMC Harrisburg on [redacted]. She is the child of MG, date of birth [redacted], and CL, date of birth [redacted]. Mother and Father were not married at the time of the Child's birth. Mother had no complication and was discharged from the hospital 2-3 days after the Child's birth. Other than one occasion when Mother authorized an immunization for the Child, Mother and Father had no contact with the hospital or the Child after Mother was discharged following the birth.

On August 12, 2022, the Agency requested and was verbally granted emergency custody of the Child. A Shelter Care hearing was held on August 15, 2022. Mother and Father were present and the Court found that sufficient evidence was presented to prove that allowing the Child to be discharged from the hospital to Mother's home would not be in her best interest. Legal and physical custody of the Child remained with the Agency and she was discharged from the hospital and placed directly in a kinship resource home.

A Dependency hearing was held on August 25, 2022. Father did not attend the hearing as he was incarcerated. Mother acted in a violent and aggressive manner at the hearing when she was frustrated with not getting her way, which the Court noted was concerning with regard to her ability to safely care for a child. Following the hearing the Court adjudicated the Child dependent and the Child remained in the legal and physical custody of the Agency with continued placement in her kinship care home.

A permanency review hearing was held on November 30, 2022. Mother had minimal compliance with the permanency plan, in that she had been staying at the Econo Lodge with Father prior to being asked to leave due to negative behaviors. Mother had Outreach Services to assist with parenting but had difficulty learning and retaining the material. Mother attended 73% of her available visits during the review period. Mother was found to have made no progress toward alleviating the circumstances which necessitated placement, as she is intellectually disabled and an evaluation which determined she would not be able to sustain the parenting skills necessary to meet the physical and emotional needs of a child. Father was found to have minimal compliance with the permanency plan and made no progress toward alleviating the circumstances which necessitated the original placement, in that he

reported that he worked as a manager at Taco Bell. He attended only 57% of his visits during the review period, did not have stable housing, and had pending drug and theft charges. Following the hearing, the Court reaffirmed dependency and the Child remained in the legal and physical custody of the Agency with continued placement in her kinship resource home.

A permanency review hearing was held on February 9, 2023. The Court found that there had been minimal compliance with the permanency plan by both Mother and Father and no progress by either of them towards alleviating the circumstances which necessitated the original placement. Although Mother attended 100% of the visits during the review period, she made no progress in her parenting skills and the Court continued to hear concerns that her intellectual disability may preclude her from ever being able to take care of a child without significant assistance. Mother did not participate in Outreach Services and was uncooperative with the Agency. On several occasions Mother was unruly and acted inappropriately at the visitation center. Mother's request to have her visits increased and combined with Father's was granted on the condition that her negative behaviors cease. While Father demonstrated some parenting skills, he attended only 29% of his visits during this review period. He was referred to Crossroads for drug and alcohol counseling during the review period. Father tested positive for cocaine at the time of the hearing. Following the hearing, the Court reaffirmed dependency and legal and physical custody of the Child remained with the Agency for continued placement in her kinship resource home.

On March 8, 2023, Mother filed a Protection from Abuse Petition against Father. The Agency subsequently filed a Motion to Modify Visitation, which was granted on March 21, 2023. With this Order, Mother's and Father's visitation schedule reverted to

their original separate times. On May 19, 2023, the Agency filed a Motion for a Finding of Aggravated Circumstances with regard to Mother, the basis of which was the involuntary termination of her parental rights to another child on January 17, 2023, and against Father, the basis of which was his alleged failure to maintain substantial and continuing contact with the Child for a period of six months.

A permanency review hearing was held on May 10, 2023. The Court found minimal compliance with the permanency plan by both Mother and Father and no progress by either of them toward alleviating the circumstances which necessitated the original placement. Mother vacated the residence she shared with Father and for a majority of the review period her whereabouts were unknown. Mother refused to provide her location to the Agency and did not meet with her Outreach caseworker, resulting in services being closed for noncompliance. Mother attended only 25% of her visits during the review period. The PFA Mother filed against Father was dismissed as neither party appeared for the original hearing nor the rescheduled hearing. The Court noted its ongoing concern with Mother's ability to properly care for a child due to her own mental health and intellectual disability. Father attended only 6% of his visits during the review period and failed to complete the previously ordered psychological evaluation. He was requested by the Agency to take four random drug screens during the review period but failed to participate in any of them. Following the hearing, the Court reaffirmed dependency and legal and physical custody of the Child remained with the Agency for continued placement in her kinship resource home.

A permanency review hearing was held on August 24, 2023. The Court found minimal compliance with the permanency plan by both Mother and Father and no progress by either of them toward alleviating the circumstances which necessitated the

original placement. Mother was homeless for portions of the review period and did not stay in contact with the Agency. She attended only 4 out of 12 visits and her behavior was sometimes erratic, including making threats to caseworkers. Mother was pregnant with another child and due in October 2023, but it was unknown if she was receiving any prenatal care. Father was arrested and incarcerated during the review period. Prior to his incarceration on May 23, 2023, he last visited with the Child on February 13, 2023. He received 4 visits via polycom while he was in prison, which were not initiated by him. Upon his release on bail, Father requested Outreach services be reopened and enrolled in drug and alcohol counseling. At the end of the hearing, Father was directed to undergo a bonding assessment with the Child. Mother was directed to participate in another evaluation to determine if there had been any changes in her protective capacity. Following the hearing, the Court reaffirmed dependency and legal and physical custody of the Child remained with the Agency for continued placement in her kinship resource home. Additionally, the Court granted the Agency's Motion for Finding of Aggravated Circumstances with regard to both Mother and Father and ordered that no reasonable efforts were to be made to reunify the Child with Mother or Father.

A permanency review hearing was held on September 21, 2023. The Court found minimal compliance with the permanency plan by both Mother and Father and minimal progress by both of them toward alleviating the circumstances which necessitated the original placement. Mother continued to be uncooperative with the Agency. She attended two visits and was unavailable for the remainder of the visits due to giving birth to another child. Father attended four visits and cancelled three, and due to his poor attendance his visits were reduced to one hour every other week. He obtained full time employment and requested that Outreach Services be reopened. Father maintained

fairly good communication with the Agency during the review period. Following the hearing, the Court reaffirmed dependency and legal and physical custody of the Child remained with the Agency for continued placement in her kinship resource home.

The Agency filed a Petition for Involuntary Termination of Parental Rights on June 7, 2023. A Petition for Change of Goal to Adoption was also filed. The Petition for Involuntary Termination alleged termination was warranted under 23 Pa.C.S. §2511(a)(1), (2), and (5). The hearing on the Petition was held on December 20, 2023.

Discussion

The Agency argues that the basis for termination in this case may be found in 23 Pa.C.S. §2511(a)(1), (2), and (5), which provides as follows:

§2511. Grounds for Involuntary Termination

(a) GENERAL RULE.--The rights of a parent in regard to a child may be terminated after a petition filed on any of the following grounds:

- (1) The parent by conduct continuing for a period of at least six months immediately preceding the filing of the petition either has evidenced a settled purpose of relinquishing parental claim to a child or has refused or failed to perform parental duties.
- (2) The repeated and continued incapacity, abuse, neglect or refusal of the parent has caused the child to be without essential parental care, control or subsistence necessary for his physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by the parent.
- (5) The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency for a period of at least six months, the conditions which led to the removal or placement of the child continue to exist, the parent cannot or will not remedy those conditions within a reasonable period of time, the services or assistance reasonably available to the parent are not likely to remedy the conditions which led to the removal or placement of the child within a reasonable period of time and termination of the parental rights would best serve the needs and welfare of the child.

In order to involuntarily terminate Mother's parental rights, the Agency must prove by clear and convincing evidence one of the above subsections of 23 Pa.C.S. §2511(a).

A court may terminate parental rights under Section 2511(a)(1) where a parent demonstrates a settled purpose to relinquish parental claim to a child or fails to perform parental duties for at least six months prior to the filing of the termination petition. **In the Interest of C.S.**, 761 A.2d 1197, 1201 (Pa. Super. 2000) (emphasis added). The orphans' court must then consider the parent's explanation for his or her abandonment of the child, in addition to any post-abandonment contact. **In re Adoption of C.J.A.**, 204 A.3d 496, 503 (Pa. Super. 2019). When determining whether to terminate the rights of a parent, the Court should consider the entire background of the case and not simply:

mechanically apply the six month statutory provision. The court must examine the individual circumstances of each case and consider all explanations offered by the parent facing termination of his . . . parental rights, to determine if the evidence, in light of the totality of the circumstances, clearly warrants the involuntary termination.

In re: B.N.M., 856 A.2d 847, 855 (Pa. Super. 2004), appeal denied, 872 A.2d 1200 (Pa. 2005) citing **In re: D.J.S.**, 737 A.2d 283, 286 (Pa. Super. 1999). From the time of the Child's birth, Mother and Father have exhibited difficulty maintaining a place of importance in the Child's life. The Child was born several weeks premature and she remained in the hospital for several weeks after Mother was discharged. Mother and Father did not visit the Child in the hospital after Mother was discharged, nor did they contact the hospital or the Agency to inquire about her health and wellbeing. During that time, the resource parents spent considerable time at the hospital with the Child, visiting her so she would not be alone.

Heather Goodbrod, visitation caseworker for the Agency, testified that Mother's visits are scheduled for one hour per week, and that she is on call-in status, meaning that she must call the Agency by 8:30 a.m. on the morning of her visit to confirm that she will be attending. Mother's visits have always been observed and require an Agency staff member to be in the room with Mother and the Child at all times. Ms. Goodbrod testified that it often takes caseworkers 10-15 minutes of prompting Mother before she engages with the Child, and Mother often makes comments that she does not want to be there but she has to be there. Father's visits are also supervised but the caseworker sits outside the room to offer assistance when needed and ensure safety. Father started with two visits per week for one hour each but due to poor attendance he was also placed on call-in status and his visits were reduced to the statutory minimum of one time every other week for one hour. Ms. Goodbrod testified that Mother attended 62% of her available visits and Father attended 32% of his available visits. (Ex. 17a, 16a). Given the fact that Mother and Father did not visit the Child in the hospital and both had poor visitation attendance, this Court finds that they both have demonstrated a settled purpose of relinquishing parental claim to the Child. This is especially further evidenced by the fact that Mother failed to attend the hearing on the Petition for Involuntary Termination of Parental Rights and Father failed to return to the hearing after the lunch recess.

Additionally, grounds for termination under 23 Pa.C.S. 2511(a)(1) may be proven where a parent fails to perform parental duties for a period in excess of six months prior to the filing of the Petition for Involuntary Termination of Parental Rights.

In determining what constitutes parental duties, the Pennsylvania Supreme Court has said:

There is no simple or easy definition of parental duties. Parental duty is best understood in relation to the needs of a child. A child needs love, protection, guidance, and support. These needs, physical and emotional, cannot be met by a merely passive interest in the development of the child. Thus, this Court has held that the parental obligation is a positive duty which requires affirmative performance. This affirmative duty encompasses more than a financial obligation; it requires continuing interest in the child and a genuine effort to maintain communication and association with the child. Because a child needs more than a benefactor, parental duty requires that a parent "exert himself to take and maintain a place of importance in the child's life."

With these principles in mind, the question whether a parent has failed or refused to perform parental duties must be analyzed in relation to the particular circumstances of the case. A finding of abandonment, which has been characterized as "one of the most severe steps the court can take," will not be predicated upon parental conduct which is reasonably explained or which resulted from circumstances beyond the parent's control. It may only result when a parent has failed to utilize all available resources to preserve the parental relationship.

In re: Burns, 379 A.2d 535, 540 (Pa. 1977) (citations omitted). The Agency was granted emergency custody of the Child two weeks after her birth, due to continuing concerns about Mother's mental health and her ability to care for a Child. Given her young age, the Child's greatest needs have been food, shelter, clothing, medical care, and comfort. In order to satisfy her obligation to perform parental duties, Mother and Father would have to provide stable housing, make and attend medical appointments, provide financial support for the Child, and comfort her when she was sick or scared. The Child was removed from Mother's and Father's care because of concerns about their stability and Mother's ability to perform these parental duties adequately and consistently enough to ensure her safety. Since she has been in care, Mother's performance of parental duties has been limited to a maximum of 1 hour per week while attending visitation at the Agency. For a period of time Father's visits were scheduled

for two times per week for one hour each but due to poor attendance the visits were reduced to one hour every other week. Ms. Goodbrod testified that Mother struggled to perform even the basic tasks for the Child, such as diaper changes, and required assistance at all times. While there were no obvious safety concerns with Father's care of the Child, he was resistant to the caseworker's suggestions. Neither parent's visits ever progressed beyond the "supervised" status. Most importantly, both Mother and Father exhibited very poor attendance at the visits. Mother spent a total of 41 hours and Father spent a total of 24.75 hours with the Child while she was in placement. Ms. Goodbrod described Mother's interactions with the Child as "playing together" rather than "parenting." Given the limited amount of time invested by both Mother and Father in the Child as evidenced by their poor visitation attendance, they cannot be said to have adequately performed parental duties for the Child, nor have they "exerted themselves to take and maintain a place of importance in the child's life." **In re: Burns**, *supra*. The Court hereby finds by clear and convincing evidence that the Agency has fulfilled the requirements of 23 Pa.C.S. §2511(a)(1) in that both Mother and Father have evidenced a settled purpose of relinquishing parental claim to the Child and failed to perform parental duties for at least six months prior to the filing of the termination petition.

To satisfy the requirements of Section 2511(a)(2), the Agency must demonstrate that Mother and Father, through:

- (1) [R]epeated and continued incapacity, abuse, neglect or refusal; (2) such incapacity, abuse, neglect or refusal has caused the child to be without essential parental care, control or subsistence necessary for his physical or mental well-being; and (3) the causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied.

In re: Adoption of M.E.P., 825 A.2d 1266, 1272 (Pa. Super. 2003.)

Under Section 2511(a)(2), “[t]he grounds for termination [of parental rights] due to parental incapacity that cannot be remedied are not limited to affirmative misconduct. To the contrary, those grounds may include acts of refusal as well as incapacity to perform parental duties.” In re: A.L.D., 797 A.2d 326, 337 (Pa. Super. 2002) (citations omitted). “Moreover, an agency is not required to provide services indefinitely if a parent is either unable or unwilling to apply the instruction given.” Id. at 340. “Parents are required to make diligent efforts towards the reasonably prompt assumption of full parental responsibilities. ... [A] parent’s vow to cooperate, after a long period of uncooperativeness regarding the necessity or availability of services, may properly be rejected as untimely or disingenuous.” Id., quoting In re J.W., 578 A.2d 952, 959 (Pa. Super. 1990).

David Rider, Outreach caseworker, testified that he received the first referral for Father on March 10, 2023, with the goals of Active Parenting and support for family. Mr. Rider was able to meet with Father only one time and after that Father would fail to show up for pre-arranged meetings and would not respond to Mr. Rider’s messages so the case was closed on May 25, 2023, with no progress made. A second referral was made on August 8, 2023, and Father started working on the Active Parenting curriculum.

Jaclyn Furman, Outreach caseworker, testified that she was working with Mother at the time of the Child’s birth and the goal had always been parenting. Ms. Furman met with Mother several times in September and October of 2022 but in November of 2022 Mother stopped communicating with and cooperating with Ms. Furman, who continued to make efforts to contact her until April of 2023 when the case was ultimately closed due to lack of compliance.

With regard to parenting goals, Ms. Furman testified that when she was able to work with Mother the Active Parenting curriculum was very difficult for Mother, and she needed the materials to be broken down and simplified for her. Mother was not able to share what she learned or apply the lessons during her visits with the Child. Ultimately, Mother made no progress toward the goal and Ms. Furman testified that she had significant concerns with not only Mother's ability to parent a young child but also to meet her own needs.

Another referral was made to Outreach services on September 8, 2023, at Mother's request via voicemail to the ongoing caseworker. Jennifer Johnson, Outreach caseworker, testified that Mother did meet with her occasionally, but she was resistant to completing the Active Parenting with her, and was not capable of focusing on the material. Mother would simply say "I learned how to parent" and when asked what that meant she would state "I just need to feed her and change her diaper." Ms. Johnson testified that Mother made no progress toward her parenting goals and shared the concerns of others who testified regarding Mother's lack of protective capacity and ability to meet the Child's needs.

"When a child is in foster care, this affirmative duty requires the parent to work towards the return of the child by cooperating with the Agency to obtain rehabilitative services necessary for them to be capable of performing their parental duties and responsibilities." **In re: G.P.-R.**, 851 A.2d 967, 977 (Pa.Super. 2004). Heidi Porter, ongoing caseworker, testified that Father's contact with her is infrequent and he often cancels meetings and appointments. The Agency has requested that Father be involved in drug and alcohol treatment

but to her knowledge Father has not consistently engaged in any type of treatment. Father failed to attend any of the random drug screens that were requested by the Agency but did test positive for cocaine at one hearing and alcohol at another.

With regard to Mother, Ms. Porter referenced an evaluation performed on Mother by Dr. Denise Feger in relation to a prior Petition for Involuntary Termination of Parental Rights, wherein Dr. Feger opined that Mother would require “significant support” to ensure the safety of a child and would need special assistance to handle her own basic needs. Dr. Feger provided a list of recommendations including mental health services, domestic violence survivor treatment, life skills programming, and focused out-patient trauma therapy, all of which the Agency attempted to facilitate for Mother and none of which she exhibited any willingness to follow through on.

The Child has been in placement since her discharge from the hospital two weeks after her birth, and neither Mother nor Father have been able to make any progress in addressing the incapacities which caused the Child to be removed from their care. Given Mother’s continued inability to follow-through with actions necessary to address her own needs while simultaneously ensuring that the Child’s needs would be met consistently and appropriately, this Court finds that she has not remedied these incapacities within a reasonable amount of time and will likely be unable to remedy them in the future. Even if Mother’s mental health would be addressed, Mother has an intellectual disability that raises significant concern about her ability take any steps to be reunified with her Child, or to independently parent the Child. The Court finds by clear and convincing

evidence that the Agency has satisfied 23 Pa.C.S. §2511(a)(2) by demonstrating Mother's and Father's repeated and continued incapacity has caused the Child to be without essential parental control or subsistence necessary for her physical and mental well-being.

"Termination of parental rights under Pa.C.S. § 2511(a)(5) requires that: (1) the child has been removed from parental care for at least six months; (2) the conditions which led to removal and placement of the child continue to exist; and (3) termination of parental rights would best serve the needs and welfare of the child." In re: K.J., 936 A.2d 1128, 1134 (Pa. Super. 2007).

The Court finds that the Agency has proven by clear and convincing evidence that grounds for termination of Mother's and Father's parental rights exist under Section 2511(a)(5). The Child was placed in the legal and physical custody of the Agency on August 12, 2022, and has been in Agency's custody ever since. The Child has never been in either parent's care and had been in the care of the resource family for approximately 11 months at the time of the filing of the Petition for Involuntary Termination of Parental Rights. At each of the permanency review hearings for the Child, Mother and Father were found to have minimal compliance with the permanency plan and made no progress towards alleviating the conditions which necessitated the Child's placement.¹ As described above, Mother continues to experience the same difficulties with her own mental health and intellectual disability's impact on her ability to meet her

¹ At the last permanency review hearing, the Court found that Mother and Father had made minimal progress toward alleviating the circumstances which necessitated placement. However, this was after the date of the filing of the Petition for Involuntary Termination of Parental Rights.

own needs and her Child's needs as she did at the time of placement, despite numerous attempts by the Agency to connect her with services designed to enable and empower her to do so. Father continues to have poor contact and cooperation with the Agency and, more importantly, with the Child through visitation. Meanwhile, the Child has had her basic needs met by her resource family, and has flourished with their love and support. It is clear to this Court that termination of Mother's and Father's parental rights would best serve the needs and welfare of the Child.

As the Court has found that statutory grounds for termination have been met under all three subsections of 23 Pa. C.S. §2511(a) contained in the Petition to Involuntarily Terminate Parental Rights, the Court must now consider the following:

23 Pa.C.S. § 2511(b) OTHER CONSIDERATIONS.—The Court in terminating the rights of a parent shall give primary consideration to the developmental, physical and emotional needs and welfare of the child. The rights of a parent shall not be terminated solely on the basis of environmental factors such as inadequate housing, furnishings, income, clothing and medical care if found to be beyond the control of the parent. With respect to any petition filed pursuant to subsection (a)(1), (6) or (8), the court shall not consider any efforts by the parent to remedy the conditions described therein which are first initiated subsequent to the giving of notice of the filing of the petition.

The Court must take into account whether a bond exists between the child and parent, and whether termination would destroy an existing, necessary and beneficial relationship. **In the Interest of C.S.**, *supra*, at 1202. When conducting a bonding analysis, the Court is not required to use expert testimony. **In re: K.K.R.-S.**, 958 A.2d 529, 533 (Pa. Super. 2008) (citing **In re: I.A.C.**, 897 A.2d 1200, 1208-1209 (Pa. Super. 2006)). "Above all else . . . adequate consideration must be given to the needs and

welfare of the children.” **In re: J.D.W.M.**, 810 A.2d 688, 690 (citing **In re: Children M.**, 681 A.2d 793 (Pa. Super. 1996), appeal denied, 546 Pa. 674, 686 A.2d 1307 (1996)).

Before granting a petition to terminate parental rights, it is imperative that a trial court carefully consider the *intangible* dimension of the needs and welfare of a child--the love, comfort, security and closeness--entailed in a parent-child relationship, as well as the tangible dimension. Continuity of relationships is also important to a child, for whom severance of close parental ties is usually extremely painful. The trial court, in considering what situation would best serve the children’s needs and welfare, must examine the status of the natural parental bond to consider whether terminating the natural parents’ rights would destroy something in existence that is necessary and beneficial.

In the Interest of C.S., *supra.*, at 1202 (citations omitted).

In the present case, the Child was placed in the legal and physical custody of the Agency prior to being discharged from the hospital after her birth. Mother and Father did not visit the Child in the hospital, but the resource family did. The Child spends one hour per week with Mother and one hour every other week with Father, when they attend visits, and their time together is always observed. During those visits, Mother struggles to provide for even the most basic needs of the Child, often needs to be prompted to engage with the Child, and sometimes displays the behavior of a child herself by pouting or throwing tantrums when reminded to put her phone away or is otherwise redirected by a caseworker. Mother’s time with the Child is more akin to “playtime” than “parenting.” Father demonstrated that he can perform parental tasks for the Child without serious safety concerns; however, his attendance was so poor that his visits were reduced to the statutory minimum and the Court granted the Agency’s Petition for Finding of Aggravated Circumstances based on his failure to maintain substantial contact for a period of six months.

Mother and Father have been offered numerous services by the Agency since the Child's placement. These services were designed to them with obtaining stable housing and basic parenting skills. Mother was unable to complete her goals, and continues to struggle with her mental health, intellectual disability, and ability to meet her own needs. Father has demonstrated a lack of consistency in visitation which has prevented him from performing parental duties and resulted in the failure to establish and maintain a parent-child bond. The Child is currently in a loving and stable home, where she has resided since her discharge from the hospital after her birth. She is bonded with the resource parents and their children, one of whom is her biological half-sibling. The Child's resource parents have provided for all her basic needs such as food, shelter, clothing, love, and comfort. This type of consistency in caregiving has allowed the Child to thrive and is exactly what Mother and Father lack the ability to achieve.

The Child's permanency cannot and should not be delayed. Given the age of the Child, the length of time she has been in placement, and the lack of a bond between the Child and Mother or Father, the Court is satisfied that termination of Mother's and Father's parental rights would not destroy a bond that is necessary and beneficial to the Child's physical and emotional development. This Court further finds that permanency in the form of adoption by those who have met her needs since August 12, 2022, is in the best interest of the Child.

Conclusions of Law

1. The Court finds that the Agency has established by clear and convincing evidence that CL and MG by conduct continuing for a period of at least six months

immediately preceding the filing of the petition have evidenced a settled purpose of relinquishing parental claim to the Child and failed to perform parental duties pursuant to 23 Pa.C.S. §2511(a)(1).

2. The Court finds that the Agency has established by clear and convincing evidence that CL and MG have exhibited repeated and continued incapacity, abuse, neglect or refusal which has caused the Child to be without essential parental care, control or subsistence necessary for her physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by them pursuant to 23 Pa.C.S. §2511(a)(2).

3. The Court finds that the Agency has established by clear and convincing evidence that the child has been removed from CL's and MG's care for a period of at least six months, that the conditions which led to the removal or placement of the child continue to exist, that the conditions which led to the removal or placement of the child are not likely to be remedied within a reasonable period of time, and that termination of Mother's and Father's parental rights would best serve the needs and welfare of the child pursuant to 23 Pa.C.S. §2511(a)(5).

4. The Court finds that the Agency has established by clear and convincing evidence that the developmental, physical and emotional needs and welfare of the Child will be best served by the termination of Mother's and Father's parental rights pursuant to 23 Pa.C.S. §2511(b).

Accordingly, the Court will enter the attached Decree.

By the Court,

Ryan M. Tira, Judge

RMT/jel

c. John Pietrovito, Esquire
E. Vincent Reeves, Esquire
Trisha Hoover Jasper, Esquire
Angela Lovecchio, Esquire
Children & Youth
CASA
Gary Weber, Esquire
Jennifer E. Linn, Esquire

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

IN RE: : **NO. 2023-6874**
:
CG, :
:
Minor child :

DECREE

AND NOW, this ____ day of _____, **2024**, after a hearing on the Petition for Involuntary Termination of the Parental Rights of CL, held on December 20, 2023, it is hereby ORDERED and DECREED:

- (1) That the parental rights of CL be, and hereby are, terminated as to the child above-named;
- (2) That the welfare of the child will be promoted by adoption; that all requirements of the Adoption Act have been met; that the child may be the subject of adoption proceedings without any further notice to the natural mother.

NOTICE TO NATURAL PARENT

PENNSYLVANIA ADOPTION MEDICAL HISTORY REGISTRY

This is to inform you about an adoption law provision relating to medical history information. As the birth parent of a Pennsylvania born child who is being, or was ever adopted in the past, you have the opportunity to voluntarily place on file medical history information. The information which you choose to provide could be important to this child's present and future medical care needs.

The law makes it possible for you to file current medical information, but it also allows you to update the information as new medically related information becomes available. Requests to release the information will be honored if the request is submitted by a birth child 18 years of age or older. The law also permits that the court honor requests for information submitted by the adoptive parents or legal guardians of adoptees who are not yet 18 years of age. All information will be maintained and distributed in a manner that fully protects your right to privacy.

You may obtain the appropriate form for you to file medical history information by contacting the Adoption Medical History Registry. Registry staff are available to answer your questions. Please contact them at:

Department of Human Services
Pennsylvania Adoption Information Registry
P.O. Box 4379
Harrisburg, PA 17105-17111
Telephone: 1-800-227-0225

Medical history information forms may also be obtained locally by contacting one of the following agencies:

1. County Children & Youth Social Service Agency
2. Any private licensed adoption agency
3. Register & Recorder's Office
4. Online at www.adoptpakids.org/Forms.aspx

By the Court,

Ryan M. Tira, Judge

RMT/jel

- c. John Pietrovito, Esquire
E. Vincent Reeves, Esquire
Trisha Hoover Jasper, Esquire
Angela Lovecchio, Esquire
Children & Youth
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**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
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| IN RE: | : | NO. 2023-6874 |
| | : | |
| CG, | : | |
| Minor child | : | |

DECREE

AND NOW, this ____ day of _____, **2024**, after a hearing on the Petition for Involuntary Termination of the Parental Rights of MG, held on December 20, 2023, it is hereby ORDERED and DECREED:

- (1) That the parental rights of MG be, and hereby are, terminated as to the child above-named;
- (2) That the welfare of the child will be promoted by adoption; that all requirements of the Adoption Act have been met; that the child may be the subject of adoption proceedings without any further notice to the natural father.

NOTICE TO NATURAL PARENT

PENNSYLVANIA ADOPTION MEDICAL HISTORY REGISTRY

This is to inform you about an adoption law provision relating to medical history information. As the birth parent of a Pennsylvania born child who is being, or was ever adopted in the past, you have the opportunity to voluntarily place on file medical history information. The information which you choose to provide could be important to this child's present and future medical care needs.

The law makes it possible for you to file current medical information, but it also allows you to update the information as new medically related information becomes available. Requests to release the information will be honored if the request is submitted by a birth child 18 years of age or older. The law also permits that the court honor requests for information submitted by the adoptive parents or legal guardians of adoptees who are not yet 18 years of age. All information will be maintained and distributed in a manner that fully protects your right to privacy.

You may obtain the appropriate form for you to file medical history information by contacting the Adoption Medical History Registry. Registry staff are available to answer your questions. Please contact them at:

Department of Human Services
Pennsylvania Adoption Information Registry
P.O. Box 4379
Harrisburg, PA 17105-17111
Telephone: 1-800-227-0225

Medical history information forms may also be obtained locally by contacting one of the following agencies:

1. County Children & Youth Social Service Agency
2. Any private licensed adoption agency
3. Register & Recorder's Office
4. Online at www.adoptpakids.org/Forms.aspx

By the Court,

Ryan M. Tira, Judge

RMT/jel

- c. John Pietrovito, Esquire
E. Vincent Reeves, Esquire
Trisha Hoover Jasper, Esquire
Angela Lovecchio, Esquire
Children & Youth
CASA
Gary Weber, Esquire
Jennifer E. Linn, Esquire