

## Petition for Involuntary Termination Checklist

### *To Be Filed Simultaneously or Prior to Involuntary Filing:*

- Report of Intention to Adopt (not required in family member adoptions or OCY Cases)
- Petition for Adoption (not required in OCY Cases)
- Petition for Termination of other parents' rights (except in step-parent adoption)
- Juvenile Court Record (OCY Cases only)

### *To Be Attached to the Petition in the order they appear:*

- Preliminary Decree
- Final Decree
- Important Notice
- Petition for Involuntary Termination
  - Signed by Petitioner or Attorney
  - Verified by Petitioner
  - Petitioner is Adoptive Parent, Intermediary, Other Birth Parent, Attorney, Guardian ad litem representing child*
- Birth Certificate or Documentation of Birth (including time of birth)
- Consent by Agency to Accept Custody of Child (if Agency is Petitioner)

### *After Hearing is Scheduled:*

- Notice Pursuant to 23 Pa. C.S.A. 2513(b) to Birth Parents
  - at least 10 days' notice by personal service, OR
  - Registered Mail, OR
  - By such means as the Court may require
- Proof of Notice – *to be filed at or before the hearing*

Court of Common Pleas of Montgomery County Orphans' Court Division  
**ADOPTION TERMINATION PETITION COVER SHEET**

1A. ORPHANS' COURT CASE # (if known):	2. JUVENILE COURT CASE # (if applicable): Date of Shelter Care Order:
3. NAME OF CHILD/PROPOSED ADOPTEE  3A. DATE OF BIRTH:	3B. COUNSEL/GAL FOR CHILD (NAME, ADDRESS, AOPC #, E-MAIL AND PHONE NUMBER)  <input type="checkbox"/> Counsel should be appointed by Orphans' Court (Please select if there may be a contest to termination, or if you otherwise recommend Counsel for the child) <b>Reason Counsel is requested:</b>
4. NAME AND ADDRESS OF BIRTH MOTHER	4A. BIRTH MOTHER'S COUNSEL (NAME, ADDRESS, AOPC #, E-MAIL AND PHONE NUMBER)  <input type="checkbox"/> Counsel was appointed by Juvenile Court and should continue <input type="checkbox"/> New Counsel should be appointed by Orphans' Court
5. NAME AND ADDRESS OF BIRTH FATHER	5A. BIRTH FATHER'S COUNSEL (NAME, ADDRESS, AOPC #, E-MAIL AND PHONE NUMBER)  <input type="checkbox"/> Counsel was appointed by Juvenile Court and should continue <input type="checkbox"/> New Counsel should be appointed by Orphans' Court
6. NAME AND ADDRESS OF PUTATIVE BIRTH FATHER(S) (ATTACH ADDITIONAL SHEETS IF NECESSARY)	
7. COUNSEL FOR PETITIONER (NAME, ADDRESS, E-MAIL, PHONE AND AOPC#)	
8. To the Clerk of the Orphans' Court: Kindly Enter My Appearance on behalf <input type="checkbox"/> the Petitioner or <input type="checkbox"/> the Child Identified Above. SIGNATURE OF ATTORNEY : <span style="float: right;">DATE:</span>	
9. OTHER PARTIES: PLEASE ATTACH A SEPARATE SHEET LISTING THE NAME, ADDRESS AND TELEPHONE NUMBER FOR EACH UNREPRESENTED PARTY, AND THE NAME OF EACH REPRESENTED PARTY, TOGETHER WITH THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH PARTY'S ATTORNEY OF RECORD, UNLESS PROVIDED ABOVE	
10. PLEADING OR DOCUMENT FILED: <input type="checkbox"/> Petition for Involuntary Termination (with Permanency Review Hearing Requesting Goal Change) <input type="checkbox"/> Petition for Involuntary Termination <input type="checkbox"/> Petition for Voluntary Relinquishment <input type="checkbox"/> Petition to Confirm Consent <input type="checkbox"/> Petition for Alternative Relinquishment of Putative Father <input type="checkbox"/> Petition for Alternative Notice under Rule 15.6(2) <input type="checkbox"/> Petition for Approval of Voluntary Contact Agreement <input type="checkbox"/> Voluntary Contact Agreement	
11. HEARING REQUESTED: (Short List allows 15 minutes per matter; Half and Full Day may require a pre-trial conference) <input type="checkbox"/> Full day <input type="checkbox"/> Half day <input type="checkbox"/> Short List	
12. I CERTIFY THAT I HAVE ATTACHED THE FOLLOWING REQUIRED ATTACHMENTS TO PETITION: <input type="checkbox"/> Copy of Juvenile Court Orders (if applicable) <input type="checkbox"/> Copy of Child's Birth Certificate	

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

**No. 20    -A**

IN RE: Adoption of

\_\_\_\_\_  
(ADOPTEE's initials as on birth certificate)

**PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS**  
(23 Pa.C.S.A. § 2512)

PARTY WHOSE RIGHTS ARE BEING TERMINATED:

\_\_\_\_\_  
(birth mother, birth father, or putative father)

\_\_\_\_\_  
(name)

TO THE HONORABLE JUDGES OF SAID COURT:

The Petition of \_\_\_\_\_

\_\_\_\_\_ respectfully represents:

**1.    PETITIONER(S):**

a)    Name(s):

\_\_\_\_\_  
\_\_\_\_\_

b)    Address: \_\_\_\_\_

\_\_\_\_\_

c)    Basis for Petitioner(s)' standing:

---

\*This petition conforms to the Adoption Act, 23 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions to the statute may make this petition inadequate.

2. **ADOPTEE:**

- a) Name: (as on birth certificate): \_\_\_\_\_
- b) Sex: \_\_\_\_\_
- c) Age: \_\_\_\_\_
- d) Date of Birth: \_\_\_\_\_
- e) Place of Birth: \_\_\_\_\_
- f) Racial background: \_\_\_\_\_
- g) Religious affiliation: \_\_\_\_\_

3. **BIRTH MOTHER:**

- a) Name: \_\_\_\_\_
- b) Address: \_\_\_\_\_  
\_\_\_\_\_
- c) Age: \_\_\_\_\_
- d) Date of Birth: \_\_\_\_\_
- e) Racial background: \_\_\_\_\_
- f) Religious affiliation: \_\_\_\_\_
- g) Marriages:
  - (1) Maiden Name: \_\_\_\_\_
  - (2) Marital status at time of birth of ADOPTEE: \_\_\_\_\_
  - (3) Marital status during the one year prior to the birth of ADOPTEE: \_\_\_\_\_
  - (4) If the Birth Mother has ever been married, list the names of her spouse(s):  
\_\_\_\_\_  
\_\_\_\_\_

---

\*This petition conforms to the Adoption Act, 23 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions to the statute may make this petition inadequate.

4. **BIRTH FATHER:**

- a) Has Birth Father been identified?      Yes      No
- b) Name: \_\_\_\_\_
- c) Address: \_\_\_\_\_  
\_\_\_\_\_
- d) Age: \_\_\_\_\_
- e) Date of Birth: \_\_\_\_\_
- f) Racial background: \_\_\_\_\_
- g) Religious affiliation: \_\_\_\_\_

5. **PUTATIVE FATHER:**

(If this petition is not requesting the termination of parental rights of a Putative Father, do not complete this section.)

- a) Name: \_\_\_\_\_
- b) Date of birth: \_\_\_\_\_
- c) Place of Birth: \_\_\_\_\_
- d) Present address: \_\_\_\_\_  
\_\_\_\_\_
- (1) If unknown, list last known address: \_\_\_\_\_  
\_\_\_\_\_
- e) Racial background: \_\_\_\_\_
- f) Religious affiliation: \_\_\_\_\_
- g) Present marital status: \_\_\_\_\_
- (1) If married, name of spouse: \_\_\_\_\_
- h) Was putative father ever married to the Birth mother? \_\_\_\_\_
- (1) If yes, states beginning and ending dates of marriage: \_\_\_\_\_

---

\*This petition conforms to the Adoption Act, 23 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions to the statute may make this petition inadequate.

i) Explain circumstances that create the status of putative father:

6. Date ADOPTEE was placed with petitioner(s): \_\_\_\_\_

7. The following subsection(s) of 23 Pa.C.S.A. §2511 establish the ground(s) for terminating the parental rights of \_\_\_\_\_.

(Party whose rights are being terminated)

[Check all applicable subsections]

- 1) The parent by conduct continuing for a period of at least six months immediately preceding the filing of the petition either as 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.
- 3) The parent is the presumptive but not the natural father of the child.
- 4) The child is in the custody of an agency, having been found under such circumstances that the identity or whereabouts of the parent is unknown and cannot be ascertained by diligent search and the parent does not claim the child within three months after the child is found.
- 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 condition 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.
- 6) In the case of a newborn child, the parent knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, has failed for a period of four months immediately preceding the filing of the petition to make reasonable efforts to maintain substantial and continuing contact with the child and has failed during the same four-month period to provide substantial financial support for the child.

---

\*This petition conforms to the Adoption Act, 22 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions of the statute may make this petition inadequate.

- 7) The parent is the father of a child who was conceived as a result of rape or incest.
- 8) The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency, 12 months or more have elapsed from the date of removal or placement, the conditions which led to the removal or placement of the child continue to exist and termination of parental rights would best serve the needs and welfare of the child.
- 9) The parent has been convicted of one of the following in which the victim was a child of the parent:
  - (i) an offense under 18 Pa.C.S. Ch. 25 (relating to criminal homicide)
  - (ii) a felony under 18 Pa.C.S. § 2702 (relating to aggravated assault)
  - (iii) an offense in another jurisdiction equivalent to an offense in subparagraph (i) or (ii); or
  - (iv) an attempt, solicitation or conspiracy to commit an offense in subparagraph (i), (ii) or (iii)
- 10) The parent has been found by a court of competent jurisdiction to have committed sexual abuse against the child or another child of the parent based on a judicial adjudication as set forth in paragraph (1) (i), (ii), (iii) or (iv) or (4) of the definition of “founded report” in section 6303(a) (relating to definitions) where the judicial adjudication is based on a finding of “sexual abuse or exploitation” as defined in section 6303(a).
- 11) The parent is required to register as a sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders) or I (relating to continued registration of sexual offenders) or to register with a sexual offender registry in another jurisdiction or foreign country.

8. Is either Birth Parent of the ADOPTEE entitled to the benefits of the Soldiers’ and Sailors’ Civil Relief Act of 1940, as amended (50 U.S.C. §501 et seq.)?      Yes      No

9. Petitioner(s) will assume custody of the child until such time as the child is adopted.

10. Please insert facts and circumstances that give rise to the ground(s) for termination checked in paragraph 7.

WHEREFORE, Petitioner(s) pray(s) this Honorable Court for an order involuntarily terminating the parental rights of \_\_\_\_\_, with respect to  
(Name of parent whose parental rights are being terminated)  
 the adoptee, \_\_\_\_\_, awarding  
(ADOPTEE)  
 custody of the child to \_\_\_\_\_,  
(Agency / Individual)

---

\*This petition conforms to the Adoption Act, 22 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions of the statute may make this petition inadequate.

and authorizing said agency/individual to consent to adoption of the child without further consent or notice to the parent(s).

---

(Signature of petitioner)

---

(Print/type name of petitioner)

---

(Signature of petitioner)

---

(Print/type name of petitioner)

---

\*This petition conforms to the Adoption Act, 22 Pa. C.S.A. §2101, *et seq.*, as amended through September 3, 2019. Future revisions of the statute may make this petition inadequate.



## Verification

I verify that the statements made in the foregoing petition are true and correct. I understand that false statements herein are made subject to the penalties of Section 4904 of the Pennsylvania Crimes Code relating to unsworn falsifications to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type/Print name)

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

No. 20 -A

IN RE: Adoption of \_\_\_\_\_  
\_\_\_\_\_

**PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS**

**IMPORTANT NOTICE – BIRTH PARENT**

To: \_\_\_\_\_  
\_\_\_\_\_

A petition has been filed asking the court to put an end to all rights you have to your child  
\_\_\_\_\_. The Court has set a hearing to consider ending your rights to your child.

That hearing will be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock  
\_\_\_\_.m., in Courtroom \_\_\_\_\_, 4th Floor, One Montgomery Plaza, Swede & Airy Streets,

Norristown, Pennsylvania. You are warned that even if you fail to appear at the scheduled hearing,  
the hearing will go on without you and your rights to your child may be ended by the Court without  
your being present. You have a right to be represented at the hearing by a lawyer. You should take  
this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or  
telephone the office set forth below to find out whether you can get legal help.

MONTGOMERY COUNTY BAR ASSOCIATION  
100 W. AIRY STREET  
NORRISTOWN, PA 19401  
(610) 279-9660, #3

LEGAL AID OF SOUTHEASTERN PENNSYLVANIA  
625 SWEDE STREET  
NORRISTOWN, PA 19401  
(610) 275-5400

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

No. 20 -A

IN RE: Adoption of \_\_\_\_\_  
\_\_\_\_\_

**PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS**

**IMPORTANT NOTICE – PUTATIVE FATHER**

To: \_\_\_\_\_  
\_\_\_\_\_

A petition has been filed asking the court to put an end to all rights you have to your child  
\_\_\_\_\_. The court has set a hearing to consider ending your rights to your child.

That hearing will be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock  
\_\_\_\_.m., in Courtroom \_\_\_\_\_, 4th Floor, One Montgomery Plaza, Swede & Airy Streets,

Norristown, Pennsylvania. You are warned that your rights may also be subject to termination  
pursuant to §2504(d) of the Adoption Act, 23 Pa.C.S., if you fail to file either an acknowledgement  
of paternity or claim of paternity pursuant to 23 Pa.C.S. §5103 (relating to acknowledgement and  
claim of paternity) and fail to either appear at the hearing for the purpose of objecting to the  
termination of your rights or file a written objection to such termination with the Court prior to the  
hearing. You have a right to be represented at the hearing by a lawyer. You should take this paper to  
your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office  
set forth below to find out whether you can get legal help.

MONTGOMERY COUNTY BAR ASSOCIATION  
100 W. AIRY STREET  
NORRISTOWN, PA 19401  
(610) 279-9660, #3

LEGAL AID OF SOUTHEASTERN PENNSYLVANIA  
625 SWEDE STREET  
NORRISTOWN, PA 19401  
(610) 275-5400

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

NO. 20 -A

IN RE: Adoption of \_\_\_\_\_  
\_\_\_\_\_

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS  
OF BIRTH PARENT, \_\_\_\_\_

PRELIMINARY DECREE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the attached petition for involuntary termination of parental rights of \_\_\_\_\_, to the child, \_\_\_\_\_, it is ORDERED AND DECREED that a hearing is set for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock \_\_.m. in Courtroom \_\_\_\_, 4<sup>th</sup> Floor, One Montgomery Plaza, Swede and Airy Streets, Norristown, Pennsylvania.

At least ten days' written notice of the hearing shall be given to the following:

1. Parents who have consented in attached petition
2. Parents who have not consented in attached petition
3. Parents or guardians of consenting parents who are under the age of 18.

The parents consenting in the attached petition and their parents or guardians if under 18 years of age shall be advised in said notice that their parental rights may be terminated at the aforesaid hearing.

Method of providing notice shall conform to PA Orphans' Court Rule No. 15.6.

**BY THE COURT:**

\_\_\_\_\_  
J.

Copy of the above decree  
mailed to:  
\_\_\_\_\_

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

NO. 20 -A

IN RE: Adoption of \_\_\_\_\_  
\_\_\_\_\_

**INVOLUNTARY TERMINATION OF PARENTAL RIGHTS  
FOR BIRTH PARENT, \_\_\_\_\_**

**FINAL DECREE**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after hearing and upon consideration of the record established in this matter, the Court makes the following findings and judicial determinations:

1. Petitioner has established a legal basis for terminating the parental rights of birth parent \_\_\_\_\_, hereinafter referred to as "Respondent", pursuant to the following subsections of 23 Pa.C.S. §2511(a):

2. Having given primary consideration as required under 23 Pa.C.S. §2511(b), this Court finds that the developmental, physical and emotional needs and welfare of \_\_\_\_\_ will be best served by the termination of this birth parent's parental rights.

**ACCORDINGLY, IT IS HEREBY ORDERED AND DECREED THAT THE PARENTAL RIGHTS OF THE ABOVE-MENTIONED RESPONDENT TO \_\_\_\_\_ ARE FOREVER TERMINATED.** The adoption of \_\_\_\_\_ may continue without further notice to or consent of the above-mentioned Respondent.

Legal custody of \_\_\_\_\_ is hereby transferred to \_\_\_\_\_, which by this DECREE is specifically authorized to consent to any necessary routine and/or emergency medical, dental and/or mental health treatment for the above minor child and to consent to adoption of the child without further consent or notice to the Respondent.

Any appeal from this DECREE must be filed within thirty (30) days from the date of this DECREE pursuant to Pa.R.A.P. 902 and 903 and in accordance with the Pa.R.A.P. 904(f) and 905(a)(2).

**BY THE COURT:**

---

**J.**

Copy of the above Order E-Filed \_\_\_\_\_

---

Judicial Court Clerk