



A TOOL FOR INVOLUNTARY TERMINATION

Section 2511 (a) (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 claims to a child or has refused or failed to perform parental duties.

1. parent's conduct for a period of at least six months immediately preceding petition's filing
2. either settled purpose of relinquishing parental claims
3. or refused to perform parental duties
4. or failed to perform parental duties
5. court will not consider parent's efforts after notice of petition's filing



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (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.

1. parent's repeated and continued incapacity, abuse, neglect or refusal
2. has caused the child to be without essential parental care, control or subsistence necessary for the child's physical or mental well-being
3. conditions or causes of one cannot or will not be remedied by parent



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (3): The parent is the presumptive but not the natural father of the child.

1. parent is the presumptive father

2. parent is not the natural father



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (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.

1. child is in agency's custody
2. identity or whereabouts of parent unknown
3. diligent search cannot ascertain identity or whereabouts
4. parent does not claim
5. within three months from finding of child



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (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.

1. child has been in agency care for at least six months
2. original conditions for removal continue
3. parent cannot or will not remedy
4. within reasonable time with services or assistance reasonably available
5. termination best serves the child's needs and welfare

A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (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.

1. newborn child
2. parent knows or has reason to know of child's birth
3. parent does not reside with child
4. parent not married to other parent
5. in four months preceding filing did not make reasonable efforts of substantial contact
6. in same four months failed to provide substantial financial support
7. court will not consider parent's efforts after notice of petition's filing



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (7): The parent is the father of a child who was conceived as a result of a rape.

1. parent is the father

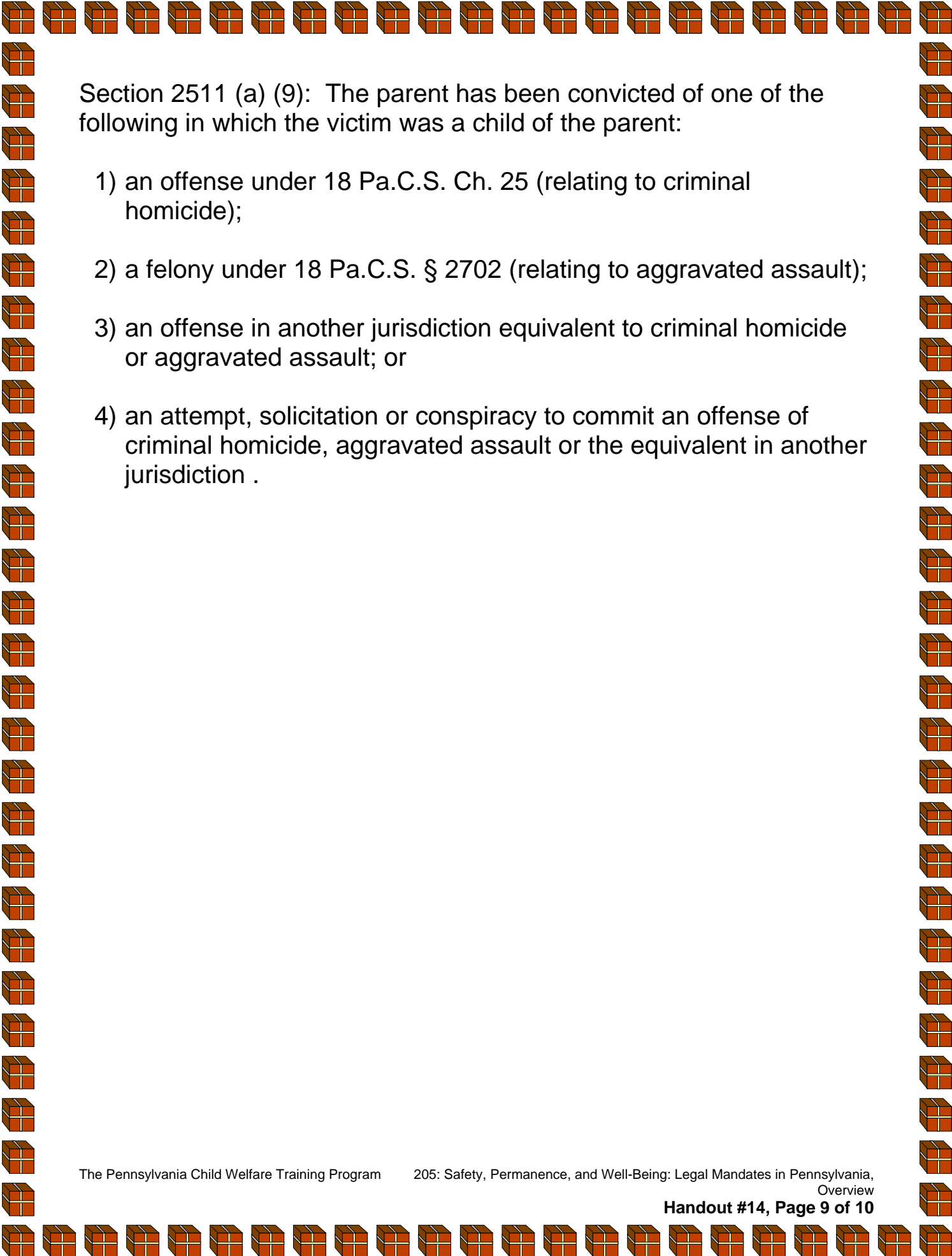
2. child conceived by rape or incest



A TOOL FOR INVOLUNTARY TERMINATION (continued)

Section 2511 (a) (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.

1. child has been in agency care for at least 12 months
2. original conditions for removal continue
3. termination best serves the child's needs and welfare
4. court will not consider parent's efforts after notice of petition's filing



Section 2511 (a) (9): The parent has been convicted of one of the following in which the victim was a child of the parent:

- 1) an offense under 18 Pa.C.S. Ch. 25 (relating to criminal homicide);
- 2) a felony under 18 Pa.C.S. § 2702 (relating to aggravated assault);
- 3) an offense in another jurisdiction equivalent to criminal homicide or aggravated assault; or
- 4) an attempt, solicitation or conspiracy to commit an offense of criminal homicide, aggravated assault or the equivalent in another jurisdiction .



A TOOL FOR INVOLUNTARY TERMINATION (continued)

2511 (b): 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 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 notice of the filing of the petition.

1. child's developmental, physical and emotional needs and welfare are given primary consideration
2. rights will not be terminated solely based on environmental factors beyond parent's control
3. no efforts after notice considered for sections (a) (1), (6) or (8)