

Fathers' Legal Rights as a Parent

The Child Welfare Professional has the legal responsibility of ensuring the rights of the father.

Fathers' rights, as a parent, under Title 55, Pa. Code Chapter 3130 (relating to the Administration of County Children and Youth Social Service Programs):

- ✓ Fathers have the right to be involved in the development of the family service plan.
- ✓ Fathers have the right to receive a copy of the family service plan.
- ✓ Fathers have the right to appeal the family service plan.
- ✓ Fathers have the right to receive services.
- ✓ Fathers have the right to receive notification of court hearings.
- ✓ Fathers have the right to have access to the family case record – other than sections prohibited due to confidentiality.

Fathers' rights, as a parent, under the Title 23, Pa. C.S, Chapter 63 (relating to the Child Protective Services Law or CPSL):

- ✓ Fathers have the right to receive services as needed to ensure safety and reduce risk to their child(ren).
- ✓ Fathers have the right to receive a copy of an abuse report as well as all information in the central registry regarding themselves or their child(ren).
- ✓ Fathers have the right to know the status of a report involving themselves and/or their child(ren).
- ✓ Fathers have the right to receive a written notice of the existence of a report of child or student abuse.
- ✓ Fathers have the right to know why Children and Youth Services became involved with their families and their child(ren).
- ✓ Fathers have the right to receive assistance in recognizing and remedying conditions harmful to their child(ren) so that they might become a better parent.
- ✓ Fathers have the right to receive immediate written notification, within 24 hours of an agency placing their child(ren) under protective custody, noting the whereabouts of their child(ren), as well as the reason(s) the agency took the child(ren) into protective custody – unless prohibited by court order.
- ✓ Fathers have the right to be involved in a conference with the parent, guardian, and/or other custodian of their child(ren) whom an agency decided to take into protective custody. The agency must hold the conference within 48 hours of the time that they took the child(ren) under protective custody. The employee designated by the county agency as having responsibility for the child(ren) facilitates the conference for the purpose of:
 - o Explaining to the parent the reasons for taking the child(ren) into protective custody and the whereabouts of the child(ren) – unless prohibited by court;
 - o Expediting, wherever possible, the return of the child to the custody of the parent, guardian, or other custodian when protective custody proves no longer necessary; and,
 - o Explaining to the parent the rights provided under 42 Pa.C.S. §§ 6337 (relating to right to counsel) and 6338 (relating to other basic rights).

Fathers' Legal Rights as a Parent (continued)

Fathers' rights, as a parent, under Title 42, Pa. C.S., Chapter 63 (relating to the Juvenile Act):

- ✓ Fathers have the right to receive reasonable notification prior to the commencement of any hearing.
- ✓ Fathers have the right to court-appointed legal counsel without any financial responsibility if he is without financial resources or otherwise unable to employ counsel.
- ✓ Fathers have the right to have an opportunity to introduce evidence at a court proceeding, for the court to hear him on his own behalf, and to cross-examine witnesses.
- ✓ Fathers have the right for the court to hear him at court hearings.
- ✓ Fathers have the right to inspect the court files and records in a proceeding, except those that reveal the names of confidential sources.
- ✓ Fathers have the right to participate in the treatment, supervision, and/or rehabilitation of their child(ren).
- ✓ Fathers have the right to receive notification should an agency decide to take their child(ren) into custody.

Fathers' rights, as a parent, under Title 23, Pa. C.S., Chapters 21-29 (relating to the Adoption Act):

- ✓ Fathers who filed a petition to relinquish their parental rights, or that executed a consent to adoption, and need counseling concerning the relinquishment or consent, may apply to the court for referral to an agency or qualified counselor.
- ✓ Fathers have the right to update personal and medical information with the court even after the court orders a decree of termination.
- ✓ Fathers have the right to grant the court the permission to release his name and residence to an adoptee.

