

## Definition of Dependent Child

**The Juvenile Act, 42 Pa.C.S. S6302 defines a dependent child as a child (under the age of 18 years except in certain circumstances) who:**

1. Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals. A determination that there is a lack of proper parental care or control may be based upon evidence of conduct by the parent, guardian or other custodian that places the health, safety or welfare of the child at risk, including evidence of the parent's, guardian's or other custodian's use of alcohol or a controlled substance that places the health, safety or welfare of the child at risk;
2. Has been placed for care or adoption in violation of law;
3. Has been abandoned by his parents, guardian or other custodian;
4. Is without a parent, guardian, or legal custodian;
5. While subject to compulsory school attendance is habitually and without justification truant from school;
6. Has committed a specific act or acts of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision;
7. Is under the age of ten years and has committed a delinquent act;
8. Has been formerly adjudicated dependent, and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable in paragraph (6); or
9. Has been referred pursuant to S6323 (relating to informal adjustment), and who commits an act which is defined as ungovernable in paragraph (6);
10. Is born to a parent whose parental rights with regard to another child have been involuntarily terminated within three years immediately preceding the date of birth of the child and the conduct of the parent poses a risk to the health, safety, or welfare of the child.