

## ORPHANS COURT DIVISION RULE 15

### RULE 15. ADOPTION

#### **Sec. 1. Venue.**

A proceeding for voluntary relinquishment, involuntary termination of parental rights, confirm consent to adoption, or adoption may be brought in the County of Allegheny if the parent or parents or the adoptee or person or persons who have filed a report of intent to adopt, reside in Allegheny County, or if an office of an agency having custody of or having placed the adoptee is located therein. Such a proceeding may also be brought with leave of Court in Allegheny County if the adoptee formerly resides in Allegheny County.

#### **Sec. 2. Parties.**

Any individual may be adopted, regardless of his age or residence. Any individual may become an adopting parent. Parent includes adoptive parent.

#### **Sec. 3. Voluntary Relinquishment. Relinquishment to Agency. Petition.**

(a) A petition of a parent or parents for permission to relinquish forever all parental rights and duties with respect to a child under the age of eighteen years who has been in the care of an agency for a minimum period of three (3) days, or, whether or not the agency has the physical care of the child, the agency has received a written notice of the present intent to transfer to it custody of the child, executed by the parent, shall contain the following information:

- (1) The name and address of petitioner and identity, i.e., parent.
- (2) The name, address, age, racial background and religious affiliation of the parent or parents, and all alleged parents and any deceased parent.
- (3) The marital status of the mother as of the time of birth of the child and during one (1) year prior thereto, and, if the mother has ever been married, the name of her husband or husbands, and her maiden name and how prior marriages were terminated;

- (4) The name, age, date of birth, racial background, sex and religious affiliation of the child; the name of the child shall include all names by which child has been identified on the birth certificate and any other legal document;
- (5) The name and address of the agency having care of the child;
- (6) The date when the child was placed with the agency;
- (7) When the child is born out of wedlock, whether the mother and father of the child intend to marry;
- (8) If the mother of the child was married within one (1) year prior to the birth of the child but identifies the natural father as a person other than her spouse, then the information as to the spouse (legal father) of the mother shall be set forth as required in subparagraph (2);
- (9) The date on which the parent has executed a written notice of the present intent to transfer to the agency custody of the child, if said notice was executed;
- (10) The reasons for seeking relinquishment.
- (11) If Petitioner also seeks to terminate the parental rights of the putative father, then state whether or not the putative father has filed a petition to Voluntarily Relinquish his parental rights pursuant to 23 Pa. C.S.A. Section 2501 and 2503 and whether the putative father has filed an Acknowledgment of Paternity or Claim of Paternity pursuant to 23 Pa. C.S.A. Section 8302 or 8303.

The prayer shall be for permission to relinquish forever all parental rights and duties of the Petitioner with respect to the child and to award to the agency the custody of the child. The prayer may also be for permission to terminate the parental rights of the putative father pursuant to 23 Pa. C.S.A. Section 2503(d).

**(b) Exhibits.**

The petition shall have attached to it the following exhibits:

- (1) An original or certified birth certificate or certification of registration of birth of the child;
- (2) The written notice executed by the Petitioner to the agency of that parent's present intent to transfer to the agency custody of the child, if applicable;
- (3) The joinder of the agency having care of the child and the consent to the agency to accept custody of the child until such time as the child is adopted.
- (4) Original or certified copy of any previous divorce decrees relating to the mother and original or certified copy of mother's previous election to resume maiden name, if applicable;
- (5) Original or certified copy of documentation from appropriate State Agency certifying Acknowledgement of Paternity or Claim of Paternity indicating that no acknowledgement of paternity or claim of paternity has been filed.

**(c) Preliminary Decree and Hearing.**

Upon presentation of the petition, the Court, by preliminary decree, shall fix a time for hearing which shall be not less than ten days after filing of the petition. Notice shall be given to the Petitioner. Notice of the hearing shall also be given to the other parent including any alleged natural father, to the putative father whose parental rights could be terminated pursuant to 23 Pa. C.S.A. Section 2503(d), and to the legal father (spouse of mother within during one (1) year prior to birth, if he is not identified as the natural father, and to the parents or guardians of a Petitioner who has not reached the age of 18 years. The Petitioner and an authorized representative of the agency (if agency is involved) shall be examined under oath at the hearing. The hearing shall be in private. The notices shall be in substantially the following forms, and Affidavit/Proof of Service of the required notices of hearing shall be filed with the Court at least five (5) days prior to the scheduled hearing.

**(1) Notice to Petitioner of Hearing on Petition for Voluntary Relinquishment.**

(Caption of Case)

TO: \_\_\_\_\_ (name of petitioner),  
 MOTHER/FATHER/LEGAL FATHER OF \_\_\_\_\_ (adoptee's name)

\_\_\_\_\_, BORN ON THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_,  
AT \_\_\_\_\_ (hospital) \_\_\_\_\_,  
\_\_\_\_\_ (city) \_\_\_\_\_,  
\_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN  
END TO ALL RIGHTS YOU HAVE TO YOUR CHILD, (insert name of child).  
THE COURT HAS SET A HEARING TO CONSIDER ENDING YOUR RIGHTS  
TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT,  
1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA  
ON \_\_\_\_\_, AT \_\_\_\_\_ M. YOUR PRESENCE IS  
REQUIRED AT 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh PA 15219  
(412) 261-2088

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(2) Notice to the Other Parent and Legal Father.**

(Caption of Case)

TO: \_\_\_\_\_ (other parent and/or legal father),  
MOTHER/FATHER/LEGAL FATHER OF \_\_\_\_\_ (adoptee's name)  
\_\_\_\_\_, BORN ON THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_,  
AT \_\_\_\_\_ (hospital) \_\_\_\_\_,  
\_\_\_\_\_ (city) \_\_\_\_\_,  
\_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED BY (petitioner's name) ASKING  
THE COURT TO PUT AN END TO ALL RIGHTS SHE/HE HAS TO YOUR  
CHILD, (name of adoptee). THE COURT HAS SET A HEARING TO CONSIDER  
ENDING HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD

IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET,  
PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_  
\_\_\_. M. A COPY OF THE NOTICE TO PETITIONER IS ATTACHED.

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(3) Notice to Putative Father whose rights may be terminated.**

(Caption of Case)

TO: \_\_\_\_\_ (name of putative father), FATHER OF  
\_\_\_\_\_ (adoptive's name) BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital),  
\_\_\_\_\_ (county),  
\_\_\_\_\_ (city), \_\_\_\_\_ (state).

A PETITION HAS BEEN FILED BY (petitioner's name) ASKING THE COURT TO PUT AN END TO ALL RIGHTS SHE HAS TO YOUR CHILD, (name of adoptee). THE COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_  
\_\_\_. M. A COPY OF THE NOTICE TO PETITIONER IS ATTACHED.

YOUR RIGHTS TO (adoptive's name) MAY ALSO BE TERMINATED IF YOU FAIL TO FILE EITHER AN ACKNOWLEDGEMENT OF PATERNITY OR CLAIM OF PATERNITY PURSUANT TO 23 Pa. C.S.A. SECTION 5103 AND YOU FAIL TO EITHER APPEAR AT THIS HEARING FOR THE PURPOSE OF OBJECTING TO THE TERMINATION OF YOUR RIGHTS TO (adoptive's name) OR YOU FAIL TO FILE A WRITTEN OBJECTION TO THE TERMINATION OF YOUR RIGHTS WITH THE COURT PRIOR TO THIS 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh PA 15219  
(412) 261-2088

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(4) Notice to Parent(s) or Guardian of Petitioner who has not reached the age of 18 years.**

(Caption of Case)

TO: \_\_\_\_\_, MOTHER/FATHER OF \_\_\_\_\_  
\_\_\_\_\_, MINOR NATURAL FATHER/MOTHER OF  
(adoptee's name) BORN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, -  
\_\_\_\_\_, AT \_\_\_\_\_ (hospital),  
\_\_\_\_\_, (county),  
\_\_\_\_\_, (city), \_\_\_\_\_, (state).

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN  
END TO ALL RIGHTS \_\_\_\_\_ (name of minor natural parent) HAS TO  
HIS/HER CHILD, \_\_\_\_\_ (adoptee's name). THE  
COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHTS TO  
HIS/HER CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT,  
1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA  
ON \_\_\_\_\_, AT \_\_\_\_\_ M. A COPY OF THE NOTICE  
TO PETITIONER IS ATTACHED.

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

(d) **Final Decree.** (1) A decree of termination in substantially the following form shall be submitted to the Court at the hearing:

And now, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition For Voluntary Relinquishment of Parental Rights and duties to an Agency having been heard, upon consideration thereof and of the supporting testimony and it appearing that \_\_\_\_\_ desires to relinquish forever all parental rights with respect to \_\_\_\_\_, the Court finds the averments of facts in said petition are true and that the prayer of the petition should be granted;

Now, therefore it is ordered, adjudged and decreed that all parental rights and duties of \_\_\_\_\_ with respect to said child are hereby terminated in accordance with The Adoption Act, 23 Pa. C.S.A. Section 2501 and 2503; said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings; and that custody of \_\_\_\_\_ is hereby awarded to \_\_\_\_\_.

\_\_\_\_\_, J

- (2) If the rights of the putative father will also be terminated pursuant to 23 Pa. C.S.A. Section 2503(d) then a decree in substantially the following form shall be submitted to the Court at the hearing:

And now, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition For Voluntary Relinquishment of Parental Rights and duties to an Agency having been heard, upon consideration thereof and of the supporting testimony and it appearing that \_\_\_\_\_ desires to relinquish forever all parental rights with respect to \_\_\_\_\_, the Court finds the averments of facts in said petition are true and that the prayer of the petition should be granted;

Now, therefore it is ordered, adjudged and decreed that all parental rights and duties of \_\_\_\_\_ with respect to said child are hereby terminated in accordance with The Adoption Act, 23 Pa. C.S.A. Section 2501 and 2503; said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings;

Furthermore, the Court finds that the putative father, \_\_\_\_\_ will not file a Petition to voluntarily relinquish his parental rights pursuant to The Adoption Act, 23 Pa. C.S.A. Section 2501 and 2503, he has not filed an Acknowledgement of Paternity or Claim of Paternity pursuant to 23 Pa. C.S.A. Section 5103, he has not appeared to object to the termination of his parental rights to said child, and has not filed a written objection with this Court to the termination of his parental rights to said child;

Now, therefore it is ordered, adjudged and decreed that the parental rights of the putative father \_\_\_\_\_ with respect to said child are hereby terminated in accordance with 23 Pa. C.S.A. Section 2503 (d); said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings;

It is further ordered and decreed that custody of \_\_\_\_\_ is hereby awarded to \_\_\_\_\_.

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

(e) **Right to file personal information.** At the time the decree of termination is transmitted to the parents whose rights are terminated, the Court shall advise that parent in writing of his or her right to place personal information on file with the Court and with the Department of Health pursuant to 23 Pa. C.S.A. Section 2905 (d) (relating to impounding of proceedings and access to records).

**Sec. 4 Relinquishment to Adult Intending to Adopt Child. Petition.**

(a) A petition of a parent for permission to relinquish forever all parental rights with respect to a child under the age of eighteen years who has been in the exclusive care of an adult or adults for minimum period of thirty days, and who have filed a Report of Intention to Adopt as required by the Adoption Act, 23 Pa. C.S.A. Section 2531 shall contain the following information:

- (1) The name and address of the Petitioner and identity, i.e., parent;
- (2) The name, address, age, racial background, and religious affiliation of the parent or parents; and all alleged parents and any deceased parent;
- (3) The marital status of the mother as of the time of the birth of the child and during one (1) year prior thereto, and if the mother has ever been married, the name of her husband or husband's and/or maiden name and how prior marriages were terminated;



- (4) The name, age, date of birth, racial background, sex and religious affiliation of child; the name of the child shall include all names by which child has been identified on the birth certificate and any other legal document;
- (5) The date when the Report of Intention to Adopt was filed;
- (6) The date when the child was placed with the adult or adults intending to adopt;
- (7) When the child is born out of wedlock, whether the mother and father of the child intend to marry;
- (8) If the child is born out of wedlock and the father has been identified, information as to the father shall be set forth as required in subparagraph (2);
- (9) If the mother of the child was married within one (1) year prior to the birth of the child but identified the natural father as a person other than this spouse, then the information as to the spouse (legal father) of the mother shall be set forth as required in subparagraph (2);
- (10) If the natural father is unknown, whether there has been any claim of paternity pursuant to 23 Pa. C.S.A. Section 5103.
- (11) The reasons for seeking relinquishment.
- (12) If Petitioner also seeks to terminate the parental rights of the putative father, then state whether or not the putative father has filed a Petition to Voluntarily Relinquish his parental rights pursuant to 23 Pa. C.S.A. Section 2502 and 2503 and whether the putative father has filed an Acknowledgement of Paternity or Claim of Paternity pursuant to 23 Pa. C.S.A. Section 5103.

The prayer shall be for permission to relinquish forever all parental rights to the child and to award to the adult or adults intending to adopt, custody of the child. The prayer may also be for permission to terminate the parental rights of the putative father of the child pursuant to the 23 Pa. C.S.A. Section 2503 (d).

(b) **Exhibits.** The petition shall have attached to it the following exhibits:

- (1) An original or certified birth certificate or certification of registration of birth of the child;
- (2) The separate consent of the adult or adults intending to adopt, to accept custody of the child;
- (3) Original or certified copy of any previous divorce decrees relating to the mother and original or certified copy of any previous elections to resume maiden name relating to the mother;
- (4) Original or certified copy of Acknowledgement of Paternity or Claim of Paternity indicating that no acknowledgement of paternity or claim of paternity has been filed.

(c) **Preliminary Decree and Hearing.** Upon presentation of the petition the Court, by preliminary decree, shall fix a time for hearing which shall be not less than ten (10) days after filing of the petition. Notice of the hearing shall be given to the Petitioner. Notice of the hearing shall also be given to the other parent, to the putative father whose parental rights could be terminated pursuant to 23 Pa. C.S.A. Section 2503 (d), to the legal father (spouse of mother within one year prior to birth), if he is not identified as the natural father, and to the parents or guardians of a Petitioner who has reached the age of 18. The Petitioner and an authorized representative from the agency (if agency is involved), shall be examined under oath at the hearing, the hearing shall be in private. The notices shall be in substantially the following forms and Affidavit/Proof of Service of the required notices of hearing shall be filed with the Court at least five (5) days prior to the scheduled hearing.

(1) **Notice to Petitioner of Hearing on Petition for Voluntary Relinquishment.**

(Caption of Case)

TO: \_\_\_\_\_, (name of Petitioner), MOTHER/FATHER/LEGAL  
FATHER OF \_\_\_\_\_ (adoptee's name), BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital),

\_\_\_\_\_(city)\_\_\_\_\_,  
\_\_\_\_\_(county)\_\_\_\_\_, \_\_\_\_\_(state)\_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS YOU HAVE TO YOUR CHILD, (insert name of child). THE COURT HAS SET A HEARING TO CONSIDER ENDING YOUR RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_M. YOUR PRESENCE IS REQUIRED AT 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh PA 15219  
(412) 261-2088

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(2) Notice to the Other Parent and Legal Father.**

(Caption of Case)

TO: \_\_\_\_\_(other parent and legal father)\_\_\_\_\_,  
MOTHER/FATHER/LEGAL FATHER OF \_\_\_\_\_(adoptive's name)\_\_\_\_\_  
\_\_\_\_\_, BORN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AT  
\_\_\_\_\_(hospital)\_\_\_\_\_,  
\_\_\_\_\_(city)\_\_\_\_\_,  
\_\_\_\_\_(county)\_\_\_\_\_, \_\_\_\_\_(state)\_\_\_\_\_.

A PETITION HAS BEEN FILED BY (Petitioner's name) ASKING THE COURT TO PUT AN END TO ALL RIGHTS SHE HAS TO YOUR CHILD,

(name of adoptee). THE COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_ .M. A COPY OF THE NOTICE TO PETITIONER IS ATTACHED.

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(3) Notice to Putative Father whose rights may be terminated.**

(Caption of Case)

TO: \_\_\_\_\_ (putative father), FATHER OF  
\_\_\_\_\_ (adoptee's name), BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital),  
\_\_\_\_\_ (city),  
\_\_\_\_\_ (county), \_\_\_\_\_ (state).

A PETITION HAS BEEN FILED BY (Petitioner's name) ASKING THE COURT TO PUT AN END TO ALL RIGHTS SHE HAS TO YOUR CHILD, (name of adoptee). THE COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, at \_\_\_\_\_ .M. A COPY OF THE NOTICE TO PETITIONER IS ATTACHED.

YOUR RIGHTS TO (adoptee's name) MAY ALSO BE TERMINATED IF YOU FAIL TO FILE EITHER AN ACKNOWLEDGEMENT OF PATERNITY OR CLAIM OF PATERNITY PURSUANT TO 23 Pa. C.S.A. SECTION 5103 AND YOU FAIL TO EITHER APPEAR AT THIS HEARING FOR THE PURPOSE OF OBJECTING TO THE TERMINATION OF YOUR RIGHTS TO (adoptee's name) OR YOU FAIL TO FILE A WRITTEN OBJECTION TO THE TERMINATION OF YOUR RIGHTS WITH THE COURT PRIOR TO THIS 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh PA 15219  
(412) 261-2088

---

Name of Attorney  
Address  
Telephone Number

**(4) Notice to Parent(s) or Guardian of Petitioner who has not reached the age of 18 years.**

(Caption of Case)

TO: \_\_\_\_\_, MOTHER/FATHER OF  
\_\_\_\_\_ MINOR NATURAL FATHER/MOTHER OF \_\_\_\_\_ (adoptive's  
name), BORN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_,  
AT \_\_\_\_\_ (hospital),  
\_\_\_\_\_ (county),  
\_\_\_\_\_ (city), \_\_\_\_\_ (state).

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN  
END TO ALL RIGHTS \_\_\_\_\_ (name of minor natural parent) HAS TO HIS/HER  
CHILD \_\_\_\_\_ (adoptive's name). THE COURT HAS SET A HEARING TO  
CONSIDER ENDING HIS/HER RIGHTS TO HIS/HER CHILD. THAT HEARING  
WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT  
STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, \_\_\_\_\_ AT  
\_\_\_\_\_ M. A COPY THE NOTICE TO PETITIONER IS ATTACHED.

---

Name of Attorney  
Address  
Telephone Number

(d) **Final Decree.**

- (1) A decree of termination in substantially the following form shall be submitted to the Court at the Hearing:

And now, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition for Voluntary Relinquishment of Parental Rights to an adult(s) intending to Adopt Child having come on to be heard, upon consideration thereof and of the supporting testimony and it appearing that \_\_\_\_\_, desires to relinquish forever all parental rights with respect to \_\_\_\_\_, the Court finds the averments of facts in said petition are true and that the prayer of the petition should be granted;

Now, therefore, it is ordered, adjudged and decreed that the parental rights of the \_\_\_\_\_, \_\_\_\_\_ with respect to said child are hereby terminated in accordance with 23 Pa. C.S.A. Section 2502 and 2503; said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings; and that custody of \_\_\_\_\_ is hereby awarded to \_\_\_\_\_.

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

- (2) If the rights of the putative father will also be terminated pursuant to 23 Pa. C.S.A. Section 2503 (d), then a decree in substantially the following form shall be submitted to the Court at the hearing:

And now, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition for Voluntary Relinquishment of Parental Rights to an Adult(s) intending to Adopt Child having come on to be heard, upon consideration thereof and of the supporting testimony and it appearing that \_\_\_\_\_, desires to relinquish forever all parental rights with respect to \_\_\_\_\_, the Court finds the averments of facts in said petition are true and that the prayer of the petition should be granted;

Now, therefore, it is ordered, adjudged and decreed that the parental rights of \_\_\_\_\_ with respect to said child are hereby terminated in accordance with 23 PA C.S.A. Section 2502 and 2503; said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings;

Furthermore, the Court finds that the putative father \_\_\_\_\_ will not file a Petition to voluntarily relinquish his parental rights pursuant to 23 Pa. C.S.A. Section 2502 or 2503 of the Adoption Act, he has not filed an Acknowledgement of Paternity or Claim of Paternity pursuant to 23 Pa. C.S.A. Section 5103, he has not appeared to object to the termination of his parental right to said child, and has not filed a written objection with this Court to the termination of his parental rights to said child;

Now, therefore, it is ordered, adjudged and decreed that the parental rights of the putative father \_\_\_\_\_ with respect to said child are hereby terminated in accordance with 23 Pa. C.S.A. Section 2503 (d); said termination to extinguish the power or right of said \_\_\_\_\_ to object to or receive notice of adoption proceedings;

It is further ordered and decreed that custody of \_\_\_\_\_ is awarded to \_\_\_\_\_.

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

**Sec. 5. Alternative Procedure for Relinquishment. Petition to Confirm Consent to Adoption.**

(a) A petition of an intermediary (or adoptive parents where there is no intermediary) to confirm the consents to an adoption where the parent has executed a consent to adoption as required by 23 Pa. C.S.A. Section 2711 and has failed for period of forty (40) days after executing the consent to file or proceed with a petition for voluntary relinquishment of parental rights, shall contain the following information:

- (1) The name and address of the Petitioner and identity, i.e., parent, agency, intermediary;
- (2) The name, address, age, racial background and religious affiliation of the parents, including the mother and father and all alleged parents and deceased parent;
- (3) The marital status of the mother as of the time of birth of the child and during one (1) year prior thereto, and, if the mother has ever been married, the name of her

husband or husbands, and her maiden name and how prior marriages were terminated;

- (4) The name, age, date of birth, racial background, sex and religious affiliation of the child; the names of the child shall include all names by which the child has been identified on the birth certificate and any other legal document;
- (5) The name and address of the agency, or the adopting parent(s) if non-agency adoption, having care of the child;
- (6) The date when the child was placed with agency, or adopting parents if non-agency adoption;
- (7) When the child is born out of wedlock, whether the mother and father of the child intend to marry;
- (8) If the mother of the child was married during one (1) year prior to the birth of the child but has identified the father as a person other than her spouse, then the information as to the spouse (legal father) of the mother shall be set forth as required in subparagraph (2);
- (9) If the father is unknown, whether there have been any claims of paternity or acknowledgment of paternity filed pursuant to 23 Pa. C.S.A. Section 5103;
- (10) That the parent has executed a Consent to Adoption pursuant to 23 Pa. C.S.A. Section 2711 and has failed for a period forty (40) days after executing said consent to file or proceed with a petition for voluntary relinquishment of parental rights.
- (11) If a putative father's rights are being terminated, pursuant to 23 Pa. C.S.A. 2504(c), that said putative father will not execute a consent to adoption as required by Section 2711 and has not filed an acknowledgement of paternity or claim of paternity pursuant to 23 Pa. C.S.A. Section 5103;
- (12) That the agency, or the adopting parent(s) if a non-agency adoption, agree to accept custody of the child until such time as the child may be adopted;



(13) The reasons for seeking relinquishment.

The prayer shall request the Court to Confirm the consent to adoption and to terminate the parental rights of that parent to the child and to award custody to either the agency or, in the case of a non-agency adoption, to the adults intending to adopt. If the rights of the putative father are not to be terminated pursuant to 23 Pa. C.S.A. Section 2504(c), the prayer shall also request same.

**(b) Exhibits.** The petition shall have attached to it the following exhibits:

- petitioner;
- (1) The joinder, if obtainable, of a parent who is not a petitioner;
  - (2) An original or certified copy of the birth certificate or certification of registration of birth of the child;
  - (3) The separate consent of the agency, or of the adult or adults intending to adopt, to accept custody of the child until such time as the child may be adopted;
  - (4) Original or certified copy of any previous divorce decrees relating to the mother and original or certified copy of any previous elections to resume maiden name relating to the mother;
  - (5) If the natural father is unknown or if the rights of the putative father are to be terminated pursuant to 23 Pa. C.S.A. Section 2504(c), the original or certified copy of documentation from the appropriate state agency certifying that no Acknowledgment of Paternity or Claim of Paternity has been filed.
  - (6) The original Consent signed by the parent pursuant to 23 Pa. C.S.A. Section 2711.

**(c) Preliminary Decree and Hearing.** Upon presentation of the petition the Court, by preliminary decree, shall fix a time for hearing which shall be not less than ten (10) days after filing of the petition. Notice shall be given to the parent(s) whose rights are to be terminated, the other parent (including any alleged father), the putative father whose rights could be terminated pursuant to 23 Pa. C.S.A. Section 2504(c), to the legal father if he has not been identified as the father, and to the parent(s) or guardian(s) of a natural parent who has not reached the age of 18 years. Affidavit/Proof of the required notice of hearing on

termination of parental rights shall be filed with Court at least five (5) days prior to the scheduled hearing.

The Petitioner unless otherwise permitted by the Court, and the witnesses to the Consent executed pursuant to Section 2711 of the Adoption Act, shall also appear unless:

- (1) The signatures of the parent and witnesses are notarized; or
- (2) One of the witnesses to the Consent is an attorney; or
- (3) One of the witnesses to the Consent is a representative of a licensed adoption agency or child welfare agency representative.

(1) **Notice to the Parent whose rights are being terminated.**

(Caption of Case)

TO: \_\_\_\_\_ (name of parent) \_\_\_\_\_, MOTHER/FATHER/LEGAL  
FATHER OF \_\_\_\_\_ (adoptive's name) \_\_\_\_\_, BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital) \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_ (city) \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS YOU HAVE TO YOUR CHILD, (name of adoptee). THE COURT HAS SET A HEARING TO CONSIDER ENDING YOUR RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_ M. A COPY OF THE NOTICE TO PETITIONER IS ATTACHED. YOUR 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh, PA 15219  
(412) 261-2088

---

Name of Attorney  
Address  
Telephone Number

(2) **Notice to the Other Parent of Hearing on Petition  
to Confirm consent and Terminate Parental  
Rights.**

(Caption of Case)

TO: \_\_\_\_\_, MOTHER/FATHER/LEGAL  
FATHER OF \_\_\_\_\_ (adoptive's name), BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital),  
\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_ (state).

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN  
END TO ALL RIGHTS \_\_\_\_\_ (parent's name) HAS TO YOUR CHILD, \_\_\_\_\_ (name of  
Adoptee). THE COURT HAS SET A HEARING TO CONSIDER ENDING  
HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN  
ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET,  
PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, \_\_\_\_\_ AT \_\_\_\_\_ .M.  
A COPY OF THE NOTICE TO \_\_\_\_\_ (parent's name) IS ATTACHED  
HERE TO.

---

Name of Attorney  
Address  
Telephone Number

(3) **Notice to Putative Father whose rights may be terminated pursuant to 23 Pa. C.S.A. Section 2504(c).**

TO: \_\_\_\_\_ (name of putative father), FATHER OF \_\_\_\_\_ (adoptee's name) \_\_\_\_\_, BORN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital) \_\_\_\_\_, \_\_\_\_\_ (city) \_\_\_\_\_, \_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS \_\_\_\_\_ (parent's name) HAS TO YOUR CHILD, \_\_\_\_\_ (name of Adoptee) \_\_\_\_\_. THE COURT HAS SET A HEARING TO CONSIDER ENDING HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, \_\_\_\_\_ AT \_\_\_\_\_ .M. A COPY OF THE NOTICE TO \_\_\_\_\_ (parent's name) IS ATTACHED HERETO.

THIS PETITION ALSO ASKS THE COURT TO PUT AN END TO ALL RIGHTS YOU HAVE TO YOUR CHILD \_\_\_\_\_ (adoptee's name) \_\_\_\_\_. YOU ARE WARNED THAT IF YOU FAIL TO FILE EITHER AN ACKNOWLEDGEMENT OF PATERNITY OR CLAIM OF PATERNITY PURSUANT TO 23 Pa. C.S.A. SECTION 5103 AND YOU FAIL TO APPEAR AT THIS HEARING FOR THE PURPOSE OF OBJECTING TO THE TERMINATION OF YOUR RIGHTS OR YOU FAIL TO FILE A WRITTEN OBJECTION TO THE TERMINATION OF YOUR RIGHTS WITH THE COURT PRIOR TO THIS HEARING, THE HEARING WILL GO ON WITHOUT YOU 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh, Pennsylvania 15219  
(412) 261-2088

---

Name of Attorney  
Address  
Telephone Number

(4) **Notice to Parent(s) or Guardian(s) of Parent who has not reached the age of 18 years.**

(Caption of Case)

TO: \_\_\_\_\_ (name) \_\_\_\_\_, MOTHER/FATHER OF \_\_\_\_\_ (name of parent) \_\_\_\_\_,  
\_\_\_\_\_, MINOR FATHER/MOTHER OF \_\_\_\_\_ (adoptee's name) \_\_\_\_\_,  
BORN ON THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital) \_\_\_\_\_,  
\_\_\_\_\_ (city) \_\_\_\_\_, \_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN  
END TO ALL RIGHTS \_\_\_\_\_ (name of minor natural parent) \_\_\_\_\_ HAS TO (HIS/HER)  
CHILD \_\_\_\_\_ (adoptee's name) \_\_\_\_\_. THE COURT HAS SET A HEARING  
TO CONSIDER ENDING (HIS/HER) RIGHTS TO (HIS/HER) CHILD. THAT  
HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437  
GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ AT \_\_\_\_\_ .M. A COPY OF THE NOTICE TO \_\_\_\_\_ (parent's name) \_\_\_\_\_  
\_\_\_\_\_ IS ATTACHED HERETO.

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

(d) **Final Decree.** A decree of termination in substantially the following form shall be submitted to the Court at the Hearing:

(1) DECREE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the  
foregoing Petition to Confirm Consent to Adoption having come on to be heard,  
upon consideration thereof and the consent attached thereto executed by \_\_\_\_\_ (name of  
parent) \_\_\_\_\_, (mother/father) of \_\_\_\_\_ (adoptee's name) \_\_\_\_\_, and it appearing

that     (name of parent)     has failed for a period in excess of forty (40) days after executing the aforesaid consent to file or proceed with a Petition for Voluntary Relinquishment of Parental Rights, the Court finds that the facts averred in said petition are true and that the prayer of the petition should be granted;

NOW, THEREFORE IT IS ORDERED AND DECREED that the Consent to Adoption of     (adoptee's name)     executed by     (parent's name)          be and is hereby confirmed in accordance with the Adoption Act, 23 Pa. C.S.A. Section 2504 and the parental rights of     (parent's name)     to     (adoptee's name)     be and are hereby terminated; said termination to extinguish the power or the right of said natural parent to object to or receive notice of adoption proceedings;

AND IT IS FURTHER ORDERED AND DECREED that custody of     (adoptee's name)     be and is hereby awarded to     (agency name, or adopting parent(s) name(s) if non-agency adoption)    .

BY THE COURT:

     J.

\_\_\_\_\_

- (2) If the rights of the putative father will also be terminated pursuant to 23 Pa. C.S.A. Section 2504(c), then a decree in substantially the following form shall be submitted to the Court at the hearing:

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition to Confirm Consent to Adoption having come on to be heard, upon consideration thereof and the consent attached thereto executed by (parent's name) \_\_\_\_\_, (mother/father) \_\_\_\_\_ of (adoptee's name) \_\_\_\_\_, and it appearing that (parent's name) \_\_\_\_\_ has failed for a period in excess of forty (40) days after executing the aforesaid consent to file or proceed with a Petition for Voluntary Relinquishment of Parental Rights, the Court finds that the facts averred in said petition are true and that the prayer of the petition should be granted:

NOW, THEREFORE IT IS ORDERED AND DECREED that the Consent to Adoption of (adoptee's name) \_\_\_\_\_ executed by (parent's name) \_\_\_\_\_ be and is hereby confirmed in accordance with the Adoption Act, 23 Pa. C.S.A. Section 2504 and the parental rights of (parent's name) \_\_\_\_\_ to (adoptee's name) \_\_\_\_\_ be and are hereby terminated; said termination to extinguish the power or the right of said natural parent to object to or receive notice of adoption proceedings;

Furthermore, the Court finds that the putative father, (putative father's name) \_\_\_\_\_, will not execute a consent to an adoption as required by 23 Pa. C.S.A. Section 2711, has not filed an Acknowledgment of Paternity or Claim of Paternity pursuant to 23 Pa. C.S.A. Section 5103, has not appeared to object to the termination of his parental rights to said child, and has not filed a written objection with this Court to the termination of his parental rights to said child;

NOW, THEREFORE, it is ORDERED AND DECREED that the parental rights of the putative father, \_\_\_\_\_ (putative father's name) \_\_\_\_\_, with respect to said child are hereby terminated in accordance with 23 Pa. C.S.A. Section 2504(c); said termination to extinguish the power or right of said \_\_\_\_\_ (putative father's name) \_\_\_\_\_ to object to or receive notice of Adoption proceedings;

IT IS FURTHER ORDERED AND DECREED that custody of \_\_\_\_\_ (adoptivee's name) \_\_\_\_\_ is hereby awarded to \_\_\_\_\_ (agency, or adopting parent's name(s) if non-agency adoption) \_\_\_\_\_.

BY THE COURT:

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

\_\_\_\_\_

**Sec. 6. Involuntary Termination of Parental Rights Petition.**

(a) A petition for involuntary termination of parental rights with respect to a child under the age of 18 years may be filed by any of the following:

- (1) Any parent when termination is sought with respect to another parent;
- (2) An agency; or
- (3) The individual having custody of or standing in loco parentis to the child and who has filed a Report of Intention to Adopt.

(b) The petition shall contain the following information:

- (1) The name and address of the petitioner and identity, i.e., parent, agency or other as permitted by the statute;



- (2) The name, address, age, racial background and religious affiliation of the parent or parents and all alleged parents or person and any deceased parent;
- (3) The marital status of the mother as of the time of the birth of the child and during one (1) year prior thereto, and if the mother has ever been married, the name of her husband or husbands and/or maiden name and how prior marriages were terminated;
- (4) The name, age, date of birth, racial background, sex and religious affiliation of child; the name of the child shall include all names by which child has been identified on the birth certificate and any other legal document;
- (5) The date when the Intention to Adopt was filed;
- (6) The date when the child was placed with the adult or adults intending to adopt;
- (7) When the child is born out of wedlock, whether the mother and father of the child intend to marry;
- (8) If the child is born out of wedlock and the father has been identified, information as to the father shall be set forth as required in subparagraph (1);
- (9) If the mother of the child was married within one (1) year prior to the birth of the child but identified the natural father as the person other than her spouse, then the information as to the spouse (legal father) of the mother shall be set forth as required in subparagraph (1);
- (10) If the natural father is unknown, whether there has been any acknowledgement of paternity pursuant to 23 Pa. C.S.A. Section 5103;
- (11) The grounds for involuntary termination;

(c) The prayer shall be for a decree terminating forever all parental rights with respect to the child and awarding custody of the child to the petitioning agency or individual.

(d) **Exhibits.** The petition shall have attached to it the following exhibits:

- (1) An original or certified birth certificate or certification of registration of birth of the child;
- (2) The separate consent of the adult or adults intending to adopt, to accept custody of the child, or agency intending to accept custody;
- (3) The original or certified copy of any previous divorce decrees relating to the mother and original or certified copy of any elections to resume maiden name relating to the mother;
- (4) The original or certified copy of Acknowledgement of Paternity or Claim of Paternity indicating that no acknowledgement of paternity or claim of paternity has been filed;
- (5) A copy of the Court Order which adjudicated the child dependent, if child is currently under legal custody of Children and Youth Services or other child welfare services;
- (6) If child was previously adopted, attach a certified copy of adoption decree.

**(e) Preliminary Decree and Hearing.**

Upon presentation of the petition the Court shall direct that it be filed and shall fix a date for hearing thereon not less than ten (10) days after the date of filing the petition. At least ten (10) days' notice of the hearing on the petition shall be given to the parent or parents, putative father, or parent of a minor parent whose rights are to be terminated and to the natural or appointed guardian of any parent or parents who is or are under the age of eighteen (18) years, by personal service or by registered mail to his or their last known address. Where personal service is not obtainable and the return receipt of the registered or certified mail does not bear the signature of the person to be notified, notice shall be given under appropriate Order of Court in accordance with Section 1(c) and (d) of Rule 12 of the Court, the last published notice to be at least ten (10) days prior to the date of hearing, the Court shall make a finding relative to the pertinent provisions of 23 P.A.C.S. Section 2531 of the Adoption Act, which finding shall be incorporated in a decree of termination of parental rights. The hearing may be private. Affidavit/Proof of Service of the required notices of hearing on termination of parental rights shall be filed with the Court at least five (5) days prior to the scheduled hearing.

**(f) Notices.**

- (1) Notice to parent whose rights are being terminated of hearing on petition for involuntary termination of parental rights.

**IN RE:** ADOPTION OF \_\_\_\_\_, a minor.

No. \_\_\_\_\_ of \_\_\_\_\_ in the ORPHANS' COURT DIVISION OF THE ORPHANS' COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

TO:

\_\_\_\_\_ (parent's name),  
MOTHER/FATHER OF \_\_\_\_\_ (minor's name)  
\_\_\_\_\_, A MINOR, BORN \_\_\_\_\_,  
IN \_\_\_\_\_ (city), \_\_\_\_\_ (county),  
\_\_\_\_\_ (state).

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS YOU HAVE TO YOUR CHILD \_\_\_\_\_ (insert name of child) \_\_\_\_\_. THE COURT HAS SET A HEARING TO CONSIDER ENDING YOUR RIGHTS TO YOUR CHILD. A HEARING WILL BE HELD IN THE ORPHANS' COURT DIVISION, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH, PENNSYLVANIA ON \_\_\_\_\_, AT \_\_\_\_\_, \_\_\_\_\_.M. 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 WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE  
The Allegheny County Bar Association  
920 City-County Building  
Pittsburgh, PA 15219  
(412) 261-2088

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

- (2) **Notice to the other parent of hearing on petition to terminate parental rights.**

(Caption of Case)

TO: \_\_\_\_\_ (name of other parent) \_\_\_\_\_, MOTHER/FATHER/LEGAL FATHER  
OF  
\_\_\_\_\_ (adoptee's name) \_\_\_\_\_, BORN ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital)  
\_\_\_\_\_,  
\_\_\_\_\_ (city) \_\_\_\_\_, \_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS \_\_\_\_\_ (parent's name) \_\_\_\_\_, HAS TO YOUR CHILD \_\_\_\_\_ (name of adoptee) \_\_\_\_\_. THE COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHTS TO YOUR CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH PENNSYLVANIA ON \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.M. A COPY OF THE NOTICE TO \_\_\_\_\_ (parent's name) \_\_\_\_\_ IS ATTACHED HERETO.

\_\_\_\_\_  
Name of Attorney  
Address  
Telephone Number

**(3) Notice to parent(s) or guardian(s) of parent who has not reached the age of 18 years.**

(Caption of Case)

TO: \_\_\_\_\_ (name) \_\_\_\_\_, MOTHER/FATHER OF \_\_\_\_\_ (name of parent) \_\_\_\_\_, MINOR FATHER/MOTHER OF \_\_\_\_\_ (adoptee's name) \_\_\_\_\_, BORN ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ (hospital) \_\_\_\_\_, \_\_\_\_\_ (city) \_\_\_\_\_, \_\_\_\_\_ (county) \_\_\_\_\_, \_\_\_\_\_ (state) \_\_\_\_\_.

A PETITION HAS BEEN FILED ASKING THE COURT TO PUT AN END TO ALL RIGHTS \_\_\_\_\_ (name of minor natural parent) \_\_\_\_\_, HAS TO (HIS/HER) CHILD \_\_\_\_\_ (adoptee's name) \_\_\_\_\_. THE COURT HAS SET A HEARING TO CONSIDER ENDING HIS/HER RIGHT TO HIS/HER CHILD. THAT HEARING WILL BE HELD IN ORPHANS' COURT, 1700 FRICK BUILDING, 437 GRANT STREET, PITTSBURGH PENNSYLVANIA ON \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.M. A COPY OF THE NOTICE TO \_\_\_\_\_ (parent's name) \_\_\_\_\_ IS ATTACHED HERETO.

\_\_\_\_\_  
Name of Attorney  
Address

Telephone Number

(g) **Final Decree.** A decree of termination in substantially the following form shall be submitted to the Court at the hearing:

DECREE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing  
Petition for involuntary Termination of Parental Rights having come on to be  
heard, upon consideration thereof and of the supporting testimony and of the  
record, the Court finds that the facts averred in said Petition are true and the  
\_\_\_\_\_ (name of parent) \_\_\_\_\_ (mother/father) **(state grounds for termination with  
reference to minor)** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, that  
all parental rights of \_\_\_\_\_ (parent's name) \_\_\_\_\_, to the minor \_\_\_\_\_  
\_\_\_\_\_ (minor's name) \_\_\_\_\_, are hereby terminated, said termination to extinguish  
the power or the right of \_\_\_\_\_ (parent's name) \_\_\_\_\_, to object to or receive notice of  
adoption proceedings, and that the custody of the minor, \_\_\_\_\_ (minor's name) \_\_\_\_\_

\_\_\_\_\_, is hereby awarded to the \_\_\_\_\_ (agency, intermediary, or adoptive parent(s))  
\_\_\_\_\_.

BY THE COURT

---

**Sec. 7. Report of Intention to Adopt. Investigation.**

(a) Every person now having or hereafter receiving or retaining custody or physical care of any child under the age of eighteen (18) years, other than that person's own child, grandchild, stepchild, brother or sister of the whole or half blood, or niece or nephew by blood, or adoption, for the purpose or with the intention of adopting the child, shall file a Report relating thereto in the office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Allegheny County and shall contain the information required by Sec. 2531 of the Adoption Act. The Report shall be verified by affidavit and be filed within thirty (30) days of the date when the child came into the custody or physical care of the person filing the Report.

Attach copy of preplacement report or homestudy (§2530-2531 (7)). State whether birth mother has received counseling and where (§2505-2531 (5)).

(b) When a Report of Intention to Adopt has been filed, the case will be referred to the Adoption Department for investigation, which shall report on matters alleged in the Report and any other matters that may affect the welfare of the child, including the matters set forth in Sec. 2535 of the Adoption Act.

(c) The Report of Intent to Adopt shall substantially conform with Form A set forth in the Appendix.

**Sec. 8. Report of Intermediary.**

(a) **Intermediary** - an intermediary is defined as any person or persons or agency acting between the parent or parents and the proposed adoptive parent or parents in arranging an adoption placement. If more than one person or agency acts in this capacity, they shall be identified as co-intermediaries.

(b) Each intermediary who or which has arranged the adoption placement of any child under the age of 18 years shall within six (6) months after filing the Report of Intention to Adopt, make and file with the Clerk of the

Orphans' Court a written report under oath, and shall thereupon forthwith notify in writing the adopting parent or parents of the fact that the report has been filed and the date thereof.

(c) Contents of Report. The Report of Intermediary shall set forth the following information as required by 23 Pa. C.S.A. §2533:

- (1) The name and address of the intermediary.
- (2) The name, sex, racial background, age, date and place of birth and religious affiliation of the child.
- (3) The date of the placement of the child with the adopting parent or parents.
- (4) The name, racial background, age, marital status as of the time of birth of the child and during one (1) year prior thereto, and religious affiliation of the parents of the child and the husband of the natural mother if he was her husband within one (1) year of the birth of the child.
- (5) Identification of proceedings in which any decree of termination of parental rights, or parental rights and duties, with respect to the child was entered.
- (6) The residence of the parents or parent of the child, if there has been no such decree of termination.
- (7) A statement that all consents required by Section 2711 of the Adoption Act (relating to consents necessary to adoption) are attached as exhibits on the basis upon which the consents are not required.
- (8) An itemized accounting of moneys and consideration paid or to be paid to or received by the intermediary or to or by any other person or persons to the knowledge of the intermediary by reason of the adoption placement.
- (9) A full description and statement of the value of all property owned or possessed by the child.
- (10) A statement that no provision of any statute regulating the interstate placement of children has been violated with respect to the placement of the child.

- (11) If no birth certificate or certification of registration of birth can be obtained, a statement of the reason therefor.
- (12) A statement that medical history information was obtained and if not obtained, a statement of the reason therefor.
- (13) The report of the intermediary shall have attached to it the following exhibits:
  1. An original or certified copy of the birth certificate or certification of registration of birth of the child if it can be obtained.
  2. A certified copy of any decree of termination of parental rights or parental rights and duties made by a court order other than the court in which the petition for adoption will be filed.
  3. A certified copy of the acknowledgement of paternity filed from the appropriate state agency that no claim or acknowledgement of paternity has been filed by the putative father, or a statement that the same has been previously filed with the Court.
  4. Where applicable, a copy of the approved Interstate Compact Placement Request (ICPC-100-A).

(d) No intermediary shall place a child in the physical care or custody of a prospective adoptive parent or parents unless a home study containing a favorable recommendation for placement of a child with the prospective parent or parents has been completed within three (3) years prior thereto and which has been supplemented within one (1) year prior thereto. A home study shall be conducted by local public child care agency, an adoption agency or a licensed social worker designated by the Court to perform such study. See 23 Pa. C.S.A. §2530.

(e) Where a home study required under 23 Pa. C.S.A. is in process but not yet completed, an intermediary may make an interim placement provided the requirements of 23 Pa. C.S.A. 2530(c) are met.

(f) The intermediary in making a placement may honor the preference of the natural parents as to the religious faith in which the adoptive parents intend to rear the adoptive child. However, no person shall be denied the benefits of a placement because of a religious belief in the use of spiritual means or prayer for healing, 23 Pa. C.S.A. §2725.



(g) Report of the intermediary shall substantially conform with the form set forth in Form B in the Appendix to this Rule.

**Sec. 9. Petition for Adoption**

(a) The petition for adoption shall contain the following information:

- (1) The full name, residence, marital status, age, occupation, religious affiliation and racial background of the adopting parent or parents and their relationship, if any, to the adoptee.
- (2) A statement that a report of intention to adopt under 23 Pa. C.S.A. §2531, a report of intermediary under 23 Pa. C.S.A. §2530 and a homestudy and preplacement report under 23 Pa. C.S.A. §2530 have been filed, if required.
- (3) The name and address of the intermediary, if any.
- (4) The full name of the adoptee and the fact and length of time of the residence of the adoptee with the adopting parent or parents.
- (5) If there is no intermediary or if no report of the intermediary has been filed or if the adoptee is over the age of 18 years, all vital statistics and other information enumerated and required to be stated of record by 23 Pa. C.S.A. §2533, so far as applicable.
- (6) If a change in name of the adoptee is desired, the new name. When the person to be adopted has attained age eighteen (18) and a change of name is desired, Petitioner must submit evidence showing compliance with the law relating to change of name before a decree will be made.
- (7) That all consents required by 23 Pa. C.S.A. §2711 (relating to consents necessary to adoption) are attached as exhibits or the basis upon which such

consents are not required, or a statement that same have been previously filed with the Court.

(8) That it is the desire of the petitioner or the petitioners that the relationship of parent and child be established between the petitioner or petitioners and the adoptee.

(9) If no birth certificate or certification of registration of birth can be obtained, a statement of the reason therefor and an allegation of the efforts made to obtain the certificate with a request that the Court establish a date and place of birth at the adoption hearing on the basis of the evidence presented.

(b) The petition for adoption shall contain the following exhibits:

(1) The consent or consents required and executed in accordance by Pa. C.S.A. §2711 (relating to consents necessary to adoption). If the consents are executed before a notary public then one (1) witness to the consent shall be required to appear at the hearing; otherwise at least one (1) of the witnesses to said consent shall appear at the hearing. The consents need not be attached if they were previously filed with the Court, in which case, the Petition shall so state.

(2) Original or certified copy of birth certificate or certification of registration of birth of the child, unless previously filed with the record.

(3) Original or certified copy of marriage certificate of adoptors.

(4) Divorce decree of both of adoptors, and election to resume maiden name, if applicable.

(5) Death certificate of former spouse of both adoptors, if applicable.

(6) Death certificate of natural parents, if applicable.

(7) Original or certified copy of divorce decree, if any, of natural parents when petitioner is a step-parent.

(c) The petition shall substantially conform with Form C set forth in the appendix.

(d) A completed Certificate of Adoption Form H 105.091 shall be filed with the Court by Petitioners at the time the Petition for Adoption is filed.

(e) Hearing on Petition for Adoption -- Disclosure of Fees and Costs.

The Court shall fix a time and a place for hearing. The hearing shall be private or in open Court as the Court deems appropriate.

At the hearing there shall be offered in evidence a report by petitioner, certified by counsel for the petitioner, setting forth the amount of fees and expenses paid or to be paid to counsel and any other fee, costs and expenses paid or to be paid to an intermediary or any other person or institution, in connection with the adoption.

(f) Requirements and Form of Decree

If satisfied that the statements made in the Petition for Adoption are true, that the welfare of the person proposed to be adopted will be promoted by the requested adoption, and that all requirements of the Adoption Act have been met, the Court shall enter a decree so finding and directing that the person proposed to be adopted shall have all the rights of a child and heir of the adopting parent or parents, and shall be subject to the duties of a child to him, or them. In any case in which the petition is withdrawn or dismissed, the Court shall enter an appropriate order in regard to the custody of the child.

## **Sec. 10. Name of Adoptee**

If requested by the petitioner, the decree may provide that the adoptee shall assume the surname of the adopting parent or parents and any given first and middle names that may be chosen. If the adoptee is over age 18 and desires a change in name evidence must be submitted showing compliance with the law relating to change of name before a decree will be made.

## **Sec. 11. Impounding of Proceedings.**

All petitions, exhibits, reports, notes of testimony, decrees, and other papers pertaining to any proceeding under the Act shall be kept in the files of the Court as a permanent record thereof and withheld from inspection. Information in those records may only be made available under certain circumstances set forth in 23 Pa. C.S.A. Section 2905. Requests for information shall be by petition or letter to the Administrative Judge of the Orphans' Court Division.

## **Sec. 12. Docket Entries.**

Upon the filing of any decree under the Adoption Act, the Clerk shall enter on the docket an entry showing the date of the decree, the name of the adopting parent or parents and the post-adoption name of the adoptee. Information identifying the natural parents shall not be entered on the docket.

**Sec. 13. Certificate of Adoption.**

After the decree is entered the Clerk shall issue to the adopting parent or parents a certificate reciting that the Court has granted the adoption. The certificate shall not disclose the name of any natural parent or the original name of the person adopted. The certificate shall be accepted in any legal proceedings in the Commonwealth, as evidence of the fact that the adoption has been decreed.

It shall be the responsibility of counsel for the adopting parent to inform other Divisions of this Court of the entry of an adoption decree if this information is relevant to proceedings in other Divisions. It shall be the responsibility of counsel for the adopting parent to also complete and file the Division of Vital Records forms necessary to amend the adoptee's birth certificate.

**Sec. 14. Other Requirements.**

Medical history information shall be as set forth in Sec. 2902 of the Adoption Act, counseling shall be as set forth in Sec. 2505, and representation for child and parent shall be as set forth in Sec. 2313.

**Sec. 15. Definitions.**

1. Putative Father - The alleged or reputed father that is not the legal father of a child born out of lawful wedlock. A putative father shall include one who has filed a claim of paternity as provided in Pa. 23 C.S.A. §5103 prior to the institution of proceedings.
2. Legal Father - The spouse of the mother during the one (1) year immediately preceding the birth of the proposed adoptee.