

Rule 15.6. Notice to persons; method; notice of Orphans' Court proceedings filed on dependency docket [and time].

(a) Notice to every person to be notified shall be by personal service, service at his or her residence on an adult member of the household, or by registered or certified mail to his or her last known address. If such service is unobtainable and the registered mail is returned undelivered, then:

(1) no further notice shall be required in proceedings under Rules 15.2 or 15.3, and

(2) in proceedings under Rules 15.4 and 15.5, further notice by publication or otherwise shall be given if required by general rule or special order of the local Orphans' Court. If, after reasonable investigation, the identity of a person to be notified is unknown, notice to him or her shall not be required.

(b) When a child is in the legal custody of a county agency:

(1) Within seven (7) days of the filing of a petition to terminate parental rights under Rules 15.2 or 15.4, or a petition to confirm consent under 23 Pa.C.S. §2504, or a petition to adopt under Rule 15.5, the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the name of the petition filed and the date of filing in substantially the form approved by the Supreme Court.

(2) Within seven (7) days of receiving the Court's disposition of the petitions described in subparagraph (b)(1), the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the disposition of the petition and the date of the order in substantially the form approved by the Supreme Court.

(3) If a notice of appeal from an order described in subparagraph (b)(2) is filed, then within seven (7) days of service of the notice of appeal, the county agency shall file a praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the appeal and the date of filing in substantially the form approved by the Supreme Court.

(4) Within seven (7) days of receiving the appellate court's disposition of the appeal described in subparagraph (b)(3), the county agency shall file a

praecipe with the clerk of the court where the child was declared dependent using the caption of the dependency proceeding, notifying the clerk of the disposition of the appeal and the date of the decision in substantially the form approved by the Supreme Court.

Explanatory Comment: This Rule was amended in 2013 to add paragraph (b). The purpose of the amendment was to provide a procedure for collecting data concerning children who have been declared dependent under the Juvenile Act and placed in the custody of the county agency. The information is entered into the Common Pleas Case Management System-Dependency Module to comply with reporting requirements and to monitor dependent children in the foster care system. Unlike a “notice,” as used in paragraph (a), the county agency is not required to serve the praecipe upon the parties to the dependency, termination, or adoption proceeding. The definition of “county agency” as used in this Rule is that contained in Pa.R.J.C.P. 1120. Where used in this Rule, “Orphans' Court” includes the Family Court division of the First Judicial District. See 20 Pa. C.S. § 713.

Pursuant to Rule 1.3 (Forms), the Court has approved forms for state-wide practice to comply with the requirements of paragraph (b). These forms can be found in the Appendix to these Rules.

IN THE COURT OF COMMON PLEAS

_____ COUNTY PENNSYLVANIA

JUVENILE COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

In the Interest : Docket No.: CP-____DP-____-20__
of _____, a Minor :
 [Initials of Minor] :
 :
 :
 Date of Birth _____ :

TO CLERK OF _____ :
 [Title of Clerk Maintaining Dependency Docket]¹

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the following has been filed on __[DATE OF FILING]__ with the Orphans’ Court in __ [NAME]_____ County concerning the above-child:

A petition to relinquish parental rights of __[INITIALS OF PARENT(S) NAMED IN THE PETITION]_____.

A petition to terminate parental rights of _____[INITIALS OF PARENT(S) NAMED IN THE PETITION]_____.

A petition to confirm consent of _____[INITIALS OF PARENT(S) NAMED IN THE PETITION]_____.

A petition for adoption.

Date: _____

_____ On behalf of: [County Agency]

¹ In the First Judicial District (i.e., Philadelphia County), this Clerk will be the Clerk of the Family Court division; in the Fifth Judicial District (i.e., Allegheny County), this Clerk will be personnel at the Department of Records for the Civil/Family division; and in most of the other counties, the Clerk will be the Clerk of the Juvenile Court division.

IN THE COURT OF COMMON PLEAS

_____ COUNTY PENNSYLVANIA

JUVENILE COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

In the Interest : Docket No.: CP-____DP-____-20__
of _____, a Minor :
 [Initials of Minor] :
Date of Birth _____ :

TO CLERK OF _____ :
 [Title of Clerk Maintaining Dependency Docket]²

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the following has been entered on __[DATE OF FILING]____ by the Orphans’ Court in __[NAME]____ County concerning the above-child:

- An order granting denying (circle one) the petition to relinquish parental rights of __[INITIALS OF PARENT(S) NAMED IN THE PETITION]____.
- An order granting denying (circle one) the petition to terminate parental rights of __[INITIALS OF PARENT(S) NAMED IN THE PETITION]____.
- An order granting denying (circle one) the petition to confirm consent of _____[INITIALS OF PARENT(S) NAMED IN THE PETITION]_____.
- With the above-order relinquishing or terminating parental rights or confirming the consent of the parent(s), the child is available for adoption.
Do not check if at least one parent still has parental rights.
- An order granting denying (circle one) the petition for adoption .

Date: _____

_____ On behalf of: [County Agency]

² In the First Judicial District (i.e., Philadelphia County), this Clerk will be the Clerk of the Family Court division; in the Fifth Judicial District (i.e., Allegheny County), this Clerk will be personnel at the Department of Records for the Civil/Family division; and in most of the other counties, the Clerk will be the Clerk of the Juvenile Court division.

IN THE COURT OF COMMON PLEAS

_____ COUNTY PENNSYLVANIA

JUVENILE COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

In the Interest : Docket No.: CP-____DP-____-20__
of _____, a Minor :
 [Initials of Minor] :
 :
 :
 Date of Birth _____ :

TO CLERK OF _____:
 [Title of Clerk Maintaining Dependency Docket]³

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that an appeal has been filed on ____ [DATE] _____ concerning the above-child from the following Orphans’ Court order:

- An order granting denying (circle one) the petition to relinquish parental rights of ____ [INITIALS OF PARENT(S) NAMED IN THE ORDER] _____.
- An order granting denying (circle one) the petition to terminate parental rights of ____ [INITIALS OF PARENT(S) NAMED IN THE ORDER] _____.
- An order granting denying (circle one) the petition to confirm consent of _____ [INITIALS OF PARENT(S) NAMED IN THE ORDER] _____.
- An order granting denying (circle one) the petition for adoption.

Date: _____

_____ On behalf of: [County Agency]

³ In the First Judicial District (i.e., Philadelphia County), this Clerk will be the Clerk of the Family Court division; in the Fifth Judicial District (i.e., Allegheny County), this Clerk will be personnel at the Department of Records for the Civil/Family division; and in most of the other counties, the Clerk will be the Clerk of the Juvenile Court division.

IN THE COURT OF COMMON PLEAS

_____ COUNTY PENNSYLVANIA

JUVENILE COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

In the Interest : Docket No.: CP-____DP-____-20__
of _____, a Minor :
 [Initials of Minor] :
 :
 :
 Date of Birth _____ :

TO CLERK OF _____:
 [Title of Clerk Maintaining Dependency Docket]⁴

Please kindly record the following in the CPCMS – Dependency Module:

I hereby notify you that the appeal from the Orphans’ Court order concerning the above-child has been disposed on _____[DATE]_____ in the following manner:

Quashed Affirmed Reversed Vacated & Remanded

Other: _____

Date: _____

_____ On behalf of: [County Agency]

⁴ In the First Judicial District (i.e., Philadelphia County), this Clerk will be the Clerk of the Family Court division; in the Fifth Judicial District (i.e., Allegheny County), this Clerk will be personnel at the Department of Records for the Civil/Family division; and in most of the other counties, the Clerk will be the Clerk of the Juvenile Court division.