

In the Interest of N.A.N. (2019). Judge Neuman authored the opinion.

Holding: The Court held that the parental rights of E.N., the natural father, were properly terminated under 23 Pa.C.S. § 2511(a)(1), (a)(2), and (b). The court concluded that Father failed to perform parental duties, remained incapacitated due to his incarceration, and that termination was in the best interest of the child. The Court found the holding was supported by clear and convincing evidence presented by the child's mother and stepfather.

Analysis: The Court focused on Father's failure to provide emotional, financial, or parental support. Father had been incarcerated since the child was three months old, serving a double life sentence for a conviction of double homicide. He had not seen the child since 2008, had no meaningful contact since early childhood, and never filed for custody or visitation. The child, now 12 years old, testified that she did not know her Father, had no interest in a relationship with him, and wished to be adopted by her Stepfather, who had been present in her life since infancy and consistently served as her parental figure. The Court rejected Father's argument that Mother and Stepfather deterred his parental relationship, finding no evidence to support such a claim and noting that Mother preserved Father's letters even when the child refused to read them. The Court emphasized that Father's incarceration, while not alone sufficient for termination, was part of a larger pattern of parental incapacity that was unlikely to change. Accordingly, the Court found that maintaining Father's parental rights would not serve the child's emotional, physical, or developmental needs, and termination would allow for adoption by the only Father she had ever known.

Background: The arose after mother and Stepfather petitioned for involuntary termination of parental rights. The child sought adopted by the Stepfather. The Stepfather had lived with the child and mother since 2009 and was recognized as the child's father figure.