CUMBERLAND LAW JOURNAL

LXXI

No. 6 Carlisle, PA, February 11, 2022

54-64

IN RE: ADOPTION OF D.W., A MINOR, APPEAL OF A.M., MOTHER, CUMBERLAND CO., COMMON PLEAS, No. 84 ADOPTIONS 2021 CIVIL TERM.

Family Law—Opinion Pursuant to Pa. R.A.P. 1925—Petition for Involuntary Termination of Parental Rights—Adoption Act—23 Pa. C.S. §2511—Best Interest of the Child—In re K.M., 53 A.3d 781 (Pa. Super. 2012)—Abuse of Discretion—In re Adoption of S.P., 47 A.3d 817 (Pa. 2012)—Clear and Convincing Evidence—Termination of Parental Rights Supported by the Evidence and Should Be Upheld.

CUMBERLAND LAW JOURNAL

(USPS 140-000)

Published every Friday by

CUMBERLAND COUNTY BAR ASSOCIATION

Editor

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Cumberland Law Journal 32 South Bedford St. Carlisle, PA 17013 Telephone: (717) 249-3166

FAX (717) 249-2663 www.cumberlandbar.com

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POSTMASTER: Send change of address to: Cumberland Law Journal, c/o Clare Printing, 206 S. Keystone Avenue, Sayre, PA 18840.

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Effective 1/12/2021

IN RE: ADOPTION OF D.W., A MINOR, APPEAL OF A.M., MOTHER, CUMBERLAND CO., COMMON PLEAS, No. 84 ADOPTIONS 2021 CIVIL TERM.

Family Law—Opinion Pursuant to Pa. R.A.P. 1925—Petition for Involuntary Termination of Parental Rights—Adoption Act—23 Pa. C.S. §2511—Best Interest of the Child—In re K.M., 53 A.3d 781 (Pa. Super. 2012)—Abuse of Discretion—In re Adoption of S.P., 47 A.3d 817 (Pa. 2012)—Clear and Convincing Evidence—Termination of Parental Rights Supported by the Evidence and Should Be Upheld.

1. A decision may be reversed for an abuse of discretion only upon a demonstra-

tion of manifest unreasonableness, partiality, prejudice, bias, or ill-will.

2. In reviewing a petition of termination of parental rights, the court must (a) determine if the Agency has proven at least one of the statutory grounds of termination (b) and evaluate whether the termination is in the best interest of the child.

- 3. Where the evidence shows that parent has a long and difficult history of mental health episodes and alcohol relapses and where parent is not currently drug screening or obtaining mental health treatment and given the instability that parent's mental health creates for her child and where parent fails to show any real commitment to reunification, Agency met its burden by clear and convincing evidence.
- 4. A trial court shall give primary consideration to the development, physical and emotional needs, and welfare of the child in determining the best interests of the child.
- 5. The emotional needs and welfare of the child include intangibles such as love, comfort, security and stability.

LINDSAY D. BAIRD, ESQUIRE, Solicitor for CCCYS.

JOSEPH L. HITCHINGS, ESQUIRE, for Appellant.

JENNIFER BUSH ARCHER, ESQUIRE, Guardian ad Litem.

DAMIAN J. DESTEFANO, ESQUIRE, for the Child.

OPINION PURSUANT TO Pa. R.A.P. 1925

Before PECK, J.

PECK, J., January 13, 2022:-

Cumberland County Children and Youth Services ("CCCYS" or "the Agency") filed a Petition for Involuntary Termination of Parental Rights on August 27, 2021. We heard evidence on September 8, 2021, October 12, 2021, and November 17, 2021. On November 17, 2021, we issued an order terminating Appellant's parental rights to the Child. Appellant filed a Notice of Appeal on December 14, 2021, raising the following as errors:

1. This Honorable Court erred as a matter of law and abused its discretion when it found, despite a lack of clear and convincing

 $^{^{1}\}text{Re}$: Petition for Involuntary Termination of Parental Rights of [A.M.] Under Section 2512 of the Adoption Act, filed August 27, 2021.

²See Order of Court, September 8, 2021 (РЕСК, J.) (continuing hearing to October 12, 2021); Order of Court, In re: Involuntary Termination of Parental Rights Continuation, October 12, 2021 (РЕСК, J.) (continuing hearing to November 17, 2021).

³Final Decree, Re: Petition for Involuntary Termination of Parental Rights of [A.M.] Under Section 2512 of the Adoption Act, November 17, 2021 (PECK, J.). Simultaneously

evidence that sufficient grounds existed for a termination of Appellant's parental rights to her child, thus contravening section 2511(a) of the Adoption Act, 42 Pa.C.S.A. § 2511(a).

- 2. This Honorable Court erred as a matter of law and abused its discretion in terminating Appellant's parental rights when the conditions which led to the removal or placement of the child no longer existed or were substantially eliminated, thus contravening sections 2511(a) and (b) of the Adoption Act, 42 Pa.C.S.A; § 2511(a), (b).
- 3. This Honorable Court erred as a matter of law and abused its discretion in determining the best interests of the child would be served by terminating parental rights when Appellant was ready, willing, and able to parent the child and provide for his needs, thus contravening section 2511(b) of the Adoption Act, 42 Pa.C.S.A. \S 251 l(b). [4]

We offer this Opinion in support of our judgment pursuant to Pa. R.A.P. 1925(a).⁵

STATEMENT OF FACTS

a. Background and Appellant's Status at the Time of the Hearings

The Child was adjudicated dependent on June 11, 2020 and CCCYS obtained legal and physical custody the same day. In January 2020, the Agency received a referral based on Appellant's marijuana use and housing concerns. He Agency implemented a safety plan on February 13, 2020 where the Child stayed with extended family while Appellant admitted herself to inpatient hospitalization for alcohol detoxification and subsequently to an inpatient treatment facility for alcohol abuse. Appellant left

with the termination proceedings, we took evidence on the Agency's petition to change the goal to adoption, which we ultimately granted along with the termination petition, though Appellant does not appeal from the goal change order.

⁴Statement of Errors Complained of on Appeal, filed December 14, 2021.

⁵Transcripts for the termination hearings have not yet been filed at the time of this writing due to backlog of transcript requests in the office of the court reporters. We herein indicate where our findings stem from the hearing testimony as, "N.T. September," "N.T. October," or "N.T. November," representing the three hearings in this matter.

⁶N.T. September at ___; N.T. October at ___; Order, In re Recommendation for Adjudication and Disposition (dated June 11, 2020), June 24, 2020 (Реск, J.).

⁷N.T. September ___; N.T. October ___; CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021.

⁸N.T. September ____; CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021; Order, In re Recommendation for Adjudication and Disposition (dated June 11, 2020), June 24, 2020 (PECK, J.).

treatment against medical advice in March 2020 and in May 2020, she made a series of phone calls to police claiming her neighbor killed her dog and was trying to kill her, which resulted in Appellant going to inpatient psychiatric treatment. The Child was formally placed in the paternal grandmother's care when the Agency obtained legal and physical custody on June 11, 2020. Appellant's Service Plan goals were to achieve and maintain sobriety and mental health stability, participate in random drug screens, address parenting concerns, participate in the Child's education and mental and dental appointments as possible, maintain contact with the Child, participate in services to assist in family functioning, cooperate with the Agency, and assist in an alternate permanency plan if reunification became impossible.

Following the adjudication of dependency and placement of the Child, and following Appellant returning from inpatient psychiatric treatment (she was in same from May to June 2020), Appellant was again inpatient for mental health treatment in September 2020 following an incident where Appellant thought her husband was being murdered. ¹² Appellant then entered a partial hospitalization program for drug and alcohol through October 2020 and, subsequently, obtained additional outpatient treatment that month while at a recovery house. ¹³ Appellant again went to psychiatric inpatient treatment in February 2021 after calling in an Amber Alert for the Child and posting about same on Facebook, reporting the Child had been kidnapped, but the Child was safe at his kinship foster placement. ¹⁴ In March 2021, Appellant completed a mental health evaluation which recommended trauma therapy and psychiatric services, but Appellant was discharged in June 2021 as her therapist believed she needed to focus on drug and alcohol treatment to get sober first. ¹⁵

[°]CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021; Order, In re Recommendation for Adjudication and Disposition (dated June 11, 2020), June 24, 2020 (РЕСК, J.); N.T. October at ____.

¹⁰Order, In re Recommendation for Adjudication and Disposition (dated June 11, 2020), June 24, 2020 (Peck, J.).

¹¹September N.T. at ____; October N.T. at ____; CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021.

¹²N.T. October at ___; Order, In re Recommendation—Permanency Review (dated November 12, 2020), November 20, 2020 (РЕСК, J.).

¹³N.T. October at ____; Order, In re Recommendation—Permanency Review (dated November 12, 2020), November 20, 2020 (РЕСК, J.).

¹⁴N.T. October at ____; N.T. September ____; CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021; Order, In re Recommendation—Permanency Review (dated April 12, 2021), April 20, 2021 (PECK, J.).

¹⁵N.T. October at ____.

In April 2021, Appellant could not complete her telehealth psychiatric evaluation as she did not have enough data on her phone, and failed to reschedule the appointment. In July 2021, Appellant completed a drug and alcohol assessment which recommended intensive outpatient treatment. The began and ended intensive outpatient treatment that month due to lack of willingness to participate in group counseling which the provider required. In mid-August 2021, Appellant told the Agency she was going to do dual mental health and drug and alcohol treatment, but the Agency had not received any update or confirmation since that time.

At the time of the termination hearings, Appellant was in compliance with her psychiatric medication, but not participating in any mental health or alcohol treatment services outside of weekly check-ins by phone with the RASE Project. The Agency made five total referrals over the life of the case for drug screening, and Appellant was discharged each time for noncompliance, with the bulk of her opportunities to screen being no-shows. In February through March 2020, Appellant was supposed to test five times, but did not show four times and failed to provide enough specimen the remaining time. Appellant tested negative one time in March 2020. She had four opportunities to screen in July through August 2020, but did not show three times and indicated the fourth time that she had consumed alcohol prior to testing. After the fourth referral in February 2021, Appellant appeared for 0 out of 12 screens, and indicated she drank alcohol in February. She appeared for none of her five screens in August 2021, indicating she did not have transportation.

Appellant was to complete a parenting assessment, but was discharged from the service provider, Alternative Behavior Consultants

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<sup>16</sup>Id.; N.T. September at ____.
<sup>17</sup>N.T. October at ____.
<sup>18</sup>Id.
<sup>19</sup>Id.; N.T. September at ____.
<sup>20</sup>N.T. October at ____. The RASE Project offers recovery support services.
<sup>21</sup>N.T. October ___; N.T. September at ___.
<sup>22</sup>N.T. October ___; N.T. September at ___.
<sup>23</sup>N.T. October ___; N.T. September at ___.
<sup>24</sup>N.T. October ___; N.T. September at ___.
<sup>24</sup>N.T. October ___; N.T. September at ___.
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²⁵N.T. October at ____; N.T. September at ____. At a family group conference in December 2020, various family members expressed willingness to pay for transportation for Appellant to get her to screens. The Agency offered Appellant a gas card as a roommate at Appellant's recovery home had a car. The Agency offered another family group meeting in July 2021, which Appellant knew was to assist in transportation issues, but Appellant declined to have another family group meeting. N.T. September at ____.

(ABC), in December 2020 for not scheduling the appointment.²⁷ Appellant completed the assessment after another referral in February 2021, which recommended group parenting classes, which Appellant ultimately completed.²⁸ Between December 2020 and February 2021, Appellant attended 3 out of 10 visits offered with the Child.²⁹ Between April and July 2021, Appellant attended 4 out of 10.30 Appellant had transportation difficulties, which ultimately resulted in a visit being held in the community, with supervision provided by the Agency.³¹ As late as August and September 2021, however, two visits were offered to Appellant at the Agency's office but she could not attend due to the train schedule conflicting with her work schedule. 32 The Agency offered two more visits in September and October 2021, but Appellant did not respond to the Agency's e-mail.³³ The Agency again offered two more visits in between the September and October termination hearings and Appellant said she would try to get a ride but probably would not be able to attend. 34 Finally, in between the October and November termination hearings, Appellant had two additional opportunities for visits, but did not show for either. 35 Prior to one of these final offered visits, Appellant told the Child on the phone she would be at the visit.³⁶ Appellant had not attended the Child's most recent IEP meeting.³⁷ Appellant had about 10 phone calls with the Child at his therapy sessions beginning in May 2021, not every opportunity offered being taken by Appellant.³⁸

Appellant has lived in several places over the life of the case. From June to July 2020, Appellant was living in Blairsville with a friend. From July to August 2020, Appellant was living at two different motels in Central Pennsylvania. In August 2020, Appellant moved to an apartment but was evicted after a few weeks because of an issue between her uncle and the landlord. Between September 2020 and February 2021, Appellant

41 **Id**.

^{2&}lt;sup>7</sup>N.T. October at ____.

2⁸Id.
2⁹Id.
3⁰Id.
3¹Id.
3²Id.
3³Id.
3⁴Id.
3⁵N.T. November at ___.
3⁶Id.
3⁷N.T. October at ___.
3⁸Id.
4⁹Id.

lived at three different recovery homes before moving in with her cousin in February 2021 and then to a shelter, followed by a motel at the end of February through March 2021. From March through June 2021, Appellant was at a recovery home in Lancaster. From June 2021 to the time of the hearings, Appellant was living with her significant other at his home, with the exception of a brief period when Appellant moved in with a friend in October and then returned to her home with her boyfriend.

The relationship between Appellant and the paternal grandmother is strained. In July 2021, the paternal grandmother sent a cease-and-desist letter to Appellant due to heated text message exchanges surrounding visits with the Child and the upcoming hearings, and information was being exchanged through the case worker at the time of the hearings. 45

b. D.W.'s Status at the Time of the Hearings

The Child is 10 years old and doing very well in the home of his grandmother, where his sister on the paternal side also resides. ⁴⁶ He is participating in individual therapy, Child Prep⁴⁷ sessions, and therapy, which he is enjoying very much. ⁴⁸ He had recently begun rehearsals for his school play, which he had been looking forward to for some time. ⁴⁹ The paternal grandmother said that in the beginning, the Child was very upset to leave Appellant's care, but over time, after disappointments at missed visits, he says things like "it figures" and so on. ⁵⁰ He is engaged in Cub Scouts and has many neighborhood friends where he lives with his grandmother. ⁵¹

The Child was competent to testify and said he wants to be with his mother, but with "no one else" in the home, and did not know previously that she was living with her boyfriend and his children, though he had recently heard something about it. 52 He said if he has to live with Appellant's

⁴²**Id**.

⁴³**T**d

⁴⁴**Id;** N.T. November at

⁴⁵CCCYS Exhibit No. 3, Revised Child's Permanency Plan dated August 25, 2021; N.T. October at

⁴⁶N.T. October at ____. The Child's father died when the Child was two years old. **Id.**

⁴⁷Child Prep assists in helping children transition from foster care to permanency.

⁴⁹**Id.**; N.T. September at ____.

⁵⁰N.T. October at

⁵¹N.T. September at ____; N.T. October at ____

⁵²N.T. October at ____. We note that Appellant said she had an abusive relationship with her husband from 2015 through 2020. **Id.** She is still married as she does not know where he is. **Id.**

boyfriend and his three kids he would rather live with his grandmother, where he likes it and gets to spend time with his sister. ⁵³ He expressed that he worries about Appellant. ⁵⁴ Counsel for the Child, Damian DeStefano, Esquire, indicated that the Child no longer gets disappointed about Appellant because he has been disappointed so much, and does want to live with Appellant but understands what is happening with her and does state his concerns about living with her. ⁵⁵ Counsel said he is very happy where he is, and is "OK" with adoption, wanting nothing more than for this Court to make the decision because "the stress is crushing him." ⁵⁶ The Child expressed the same to his therapist, and that his concern is other people living in the house. ⁵⁷ His therapist said the Child becomes very guarded when talking about Appellant and whether he worries about her, and often seems detached about Appellant missing visits. ⁵⁸

DISCUSSION

This Court begins by addressing the standard of review applicable to Appellant's claims. Pennsylvania appellate courts "adhere[] to the view that the trial court is in the best position to determine credibility, evaluate the evidence, and make a proper ruling." **In re R.I.S.**, 36 A.3d 567, 572 (Pa. 2011) (internal citations omitted). Absent an abuse of discretion or error of law, where the trial court's findings are supported by competent evidence, an appellate court must affirm the trial court even though the record could support the opposite result. **In the Interest of R.J.T.**, 9 A.3d 1179, 1190 (Pa. 2010). Pennsylvania courts have held that "an abuse of discretion does not result merely because the reviewing court might have reached a different conclusion. ... Instead, a decision may be reversed for an abuse of discretion only upon demonstration of manifest unreasonableness, partiality, prejudice, bias, or ill-will." **In re Adoption of S.P.**, 47 A.3d 817, 826 (Pa. 2012) (internal citations omitted).

When evaluating a petition for termination of parental rights, a court must conduct a two-part analysis. First, a court must determine if the Agency has proven that at least one of the statutory grounds of termination set out in 23 Pa. C.S. §2511(a) has been met. **See In re B.L.W.**, 843 A.2d 380, 384 (Pa. Super. 2004). The focus of this prong is on the conduct of the parent. **In re: L.M.**, 923 A.2d 505, 511 (Pa. Super. 2007). Second,

⁵³**Id**.

⁵⁴**Id.**

⁵⁵N.T. November at ____.

⁵⁶**Id**.

⁵⁷Id.

⁵⁸**Id**.

the court must evaluate whether the termination is in the best interest of the child, as required by 23 Pa. C.S. §2511(b). **Id.** The burden is on the Petitioner to prove by clear and convincing evidence⁵⁹ that the asserted grounds for seeking the termination of parental rights are valid. **In re R.N.J.**, 985 A.2d 273, 276 (Pa. Super. 2009). Appellant argues that the Agency failed to meet the statutory grounds for termination of parental rights under 23 Pa. C.S. §2511(a) and (b).

a. Sufficiency of Evidence of a Statutory Ground Under 23 Pa. C.S. §2511(a)

The fulfillment of any one subsection of Section 2511(a) satisfies a threshold sufficient for a court to proceed to evaluate the best interests of the child under Section 2511(b). **In re B.L.W.**, 843 A.2d 380, 384 (Pa. Super. 2004). The Agency alleged in its Petition the following grounds under Section 2511(a) to terminate Appellant's parental rights:

I. 23 Pa.C.S. § 2511(a)(2): The repeated and continued incapacity, abuse, neglect or refusal of the parent has caused the child to be without essential parental care, control or subsistence necessary for the child's physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by the parent.

II. 23 Pa.C.S. § 2511(a)(5): The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency for a period of at least six months, the conditions which led to the removal or placement of the child continue to exist, the parent cannot or will not remedy those conditions within a reasonable period of time, the services or assistance reasonably available to the parent are not likely to remedy the conditions which led to the removal or placement of the child within a reasonable period of time, and termination of the parental rights would best serve the needs and welfare of the child.

III. 23 Pa.C.S. § 2511(a)(8): The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency, twelve months or more have lapsed from the date of the removal or placement, the conditions which led to the removal

⁵⁹"Before terminating a parent's rights, the trial court must receive testimony 'that is so clear, direct, weighty and convincing as to enable the trier of fact to come to a clear conviction, without hesitance, of the truth of the precise facts in issue.'" **In re Adoption of A.C.**, 162 A.3d 1123, 1133 (Pa. Super. 2017) (quoting **In re Adoption of Atencio**, 650 A.2d 1064, 1066 (Pa. 1994)).

or placement of the child continue to exist, and termination of parental rights would best serve the needs and welfare of the child.^[60] We need only find one ground satisfied, and we therefore limit our analysis to Section 2511(a)(8), which we found the Agency satisfied by clear and convincing evidence. Appellant claims that the conditions which led to the removal or placement of the Child no longer existed or were substantially eliminated. We disagree. Unfortunately, Appellant has a long and difficult history of mental health episodes and alcohol relapses, the latest undisputed alcohol relapse occurring in February 2021, and Appellant is not currently drug screening or obtaining any mental health treatment. As recently as August 2021, just prior to the termination hearings, Appellant appeared for zero out of five drug screens. Given the severity of Appellant's mental health history, and the resulting instability it creates for the Child, including calling in an Amber Alert for the Child when the Child was safe, and requiring several inpatient treatment periods and recovery home stays over the life of the case, it is unsettling that Appellant is not currently in counseling or being proactive about her mental health treatment. We heard Appellant's testimony that she is currently on a waitlist for counseling group services, but we are now well past the eleventh hour for Appellant to obtain mental health counseling as she has been directed to do at every stage of the Child's dependency and placement. Appellant has been set up with outpatient mental health counseling in the past and has either not followed up or ceased participation for refusal to engage in group counseling. The fact remains that Appellant's mental health triggered the Child's removal from her care. Stability in mental health, clean alcohol screens, and alcohol treatment have been leading goals for well over a year and they remain unmet.

Meanwhile, mental health and sobriety aside, it remains for Appellant to show stability for the Child in appearing for more than the minority portion of visits, or, to put it frankly, just showing up for him. More than a year after removal of the Child from Appellant's care, we are waiting to see Appellant exhibit real commitment to reunification. We heard Appellant's testimony that she misses the Child and wants him home with her, but as recently as between two of the termination hearings Appellant promised the Child she would appear for a visit and did not. Appellant also is not taking every phone call with the Child available to her. We are cognizant of Appellant's transportation difficulties, but we heard com-

 $^{^{60}\}mathrm{Re}:$ Petition for Involuntary Termination of Parental Rights of [A.M.] Under Section 2512 of the Adoption Act, filed August 27, 2021.

petent evidence of record that solutions have been offered to Appellant, including gas cards and financial help from family members to get her bus passes and so forth, that Appellant has declined. We therefore find the Agency has met its burden in proving satisfaction of Section 2511(a)(8).

As to the best-interests requirement of Section 2511(a)(8), we are convinced it is in the Child's best interest to terminate parental rights, which we address infra.

b. Sufficiency of Evidence that Termination of Parental Rights Was in the Child's Best Interest Under 23 Pa. C.S. §2511(b)

Section 2511 (b) requires that this Court determine whether termination is in the best interests of the child. A trial court "shall give primary consideration to the developmental, physical and emotional needs and welfare of the child." 23 Pa. C.S. §2511(b). Furthermore, "the rights of a parent shall not be terminated solely on the basis of environmental factors such as inadequate housing, furnishings, income, clothing and medical care if found to be beyond the control of the parent." 23 Pa. C.S. §2511 (b). Pennsylvania appellate courts have stated that the emotional needs and welfare of the child have properly been interpreted to include "intangibles such as love, comfort, security, and stability." In re K.M., 53 A.3d 781, 791 (Pa. Super. 2012). When making a Section 2511(b) determination, the courts are to focus on the child, not the parent. In Re Adoption of **C.L.G.**, 956 A.2d 999, 1008 (Pa. Super. 2008). A major consideration "concerns the nature and status of the emotional bond that the child has with the parent, 'with close attention paid to the effect on the child of permanently severing any such bond." Interest of K.M.W., 238 A.3d 465, 475 (Pa. Super. 2020) (quoting **In re Adoption of N.N.H.,** 197 A.3d 777, 783 (Pa. Super. 2018)).

The Child, to put it mildly, is in a difficult position. All evidence we heard indicates that the Child does wish to live with Appellant, or at least would if she were living alone, but he is aware of the problems that accompany that possibility and he knows well why he is living with his grandmother. It is apparent that the Child has experienced conditions in Appellant's home stemming from her relationships with significant others that worry him about living with her in the future. Appellant, for her part, as we said, has not shown up for the Child. The Child's counsel represented to us that the Child is in a constant state of depression waiting for Appellant to "come through," and "she never does." This was echoed by other evidence we heard from the Child's counselor, the case worker, the GAL, and the Child's grandmother. The Child's grandmother

appears hesitant to allow contact between the Child and Appellant in the future unless and until Appellant can show consistency in her life and for the Child. The Child's counsel said when they discussed termination of Appellant's rights and what that would mean, he told the Child that his grandmother may limit his time with Appellant and the Child responded that he "would see no difference," as he does not see Appellant now.

The Child is happy and settled in his home with his grandmother and sister, has friends, and is doing well in therapy and in extracurricular activities. His therapist feels his relationship with his grandmother is beneficial and strong, and we agree. The GAL and counselor also agreed that his grandmother and his continued counseling will help him to stabilize and that Appellant's failures to appear for the Child have made him retract from others. His grandmother is hoping to get him out of it. We reiterate what the Child told his counsel, that he wants nothing more than for this Court to make the decision about where he will live as the stress is crushing for him. We are convinced that it is in the Child's best interests to make that decision now and that termination of Appellant's rights is squarely in his best interests to allow him the relief and stability he urgently needs. Abundantly clear in the evidence is that the Child has been let down by Appellant far too many times, and Appellant has yet to take consistent action showing that she is ready, willing, or able to show him something different.

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Bailey, Helen A., dec'd.

Late of Lower Allen Township. Executor: William H. Shick, Jr. c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110.

Attorneys: Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110.

Cogar, Roy L., dec'd.

Late of Upper Allen Township. Executrix: Dara S. Baird. Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Cromomiz, Edward L., dec'd.

Late of Cumberland County. Executor: Charles W. Neidig, 308 Kratzer Road, Sunbury, PA 17801. Attorneys: Benjamin Apfelbaum, LLC, Attorney at Law, 124 North Fourth Street, Sunbury, PA 17801.

Dunkle, Robert P., Sr., dec'd. Late of South Middleton Township.

Executrix: Dana Billet c/o Mark W. Allshouse, Esquire, Christian Lawyer Solutions, LLC, 15 Cove Road, Marysville, PA 17053. Attorneys: Mark W. Allshouse, Esquire, Christian Lawyer Solutions, LLC, 15 Cove Road, Marysville, PA 17053, (717) 582-4006.

Durf, Donald L. a/k/a Donald L. Durf, Sr., dec'd.

Late of Newville Borough.

Executrix: Donna M. Lee c/o Bradley L. Griffie, Esquire, Griffie & Associates, P.C., 396 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

Attorneys: Bradley L. Griffie, Esquire, Griffie & Associates, P.C.

Hockenberry, Vada B., dec'd.

Late of South Middleton Township. Executrix: Lois Yingst c/o George F. Douglas, III, Esquire, Salzmann Hughes PC, 354 Alexander Spring Road, Suite 1, Carlisle, PA 17015. Attorneys: Salzmann Hughes, P.C.

Homer, Mae E., dec'd.

Late of Hampden Township. Executrix: Joetta L. Rutman. Attorneys: Murrel R. Walters, III, Esquire, Walters & Galloway, PLLC, 54 East Main Street, Mechanicsburg, PA 17055.

Jones, Carla J., dec'd.

Late of Middlesex Township. Co-Executors: Peggy K. Porter and James W. Porter. Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Jones, Roger M., dec'd.

Late of the Borough of Shippensburg.

Executor: Thomas P. Glesson, 825

Executor: Thomas P. Gleason, 825 West King Street, Suite E, Shippensburg, PA 17257.

Attorney: Thomas P. Gleason, Esquire, 825 West King Street, Suite E, Shippensburg, PA 17257, (717) 532-3270.

Kurzawski, Mary S., dec'd.

Late of East Pennsboro Township. Executrix: Susan L. Rader c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110.

Attorneys: Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110.

Mohler, Dorothy H., dec'd.

Late of West Pennsboro Township. Executrix: Susan L. Mohler c/o Martson Law Offices, 10 East High Street, Carlisle, PA 17013. Attorneys: Ivo V. Otto, III, Esquire, Martson Law Offices.

Morrison, Alice S. a/k/a A. Suzanne Morrison, dec'd.

Late of West Pennsboro Township. Executrix: Elizabeth J. Reed a/k/a Elizabeth Jane Motter. Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Myers, J. Jack a/k/a John Jack Myers a/k/a John J. Myers a/k/a J.J. Myers, dec'd.

Late of Southampton Township. Co-Executors: Johnny A. Myers and Tena R. Jones c/o Zullinger-Davis-Trinh, P.C., 74 North Second Street, Chambersburg, PA 17201.

Attorneys: Suzanne M. Trinh, Esquire, Zullinger-Davis-Trinh, PC, 74 North Second Street, Chambersburg, PA 17201.

Noel, Michael R., Jr., dec'd.

Late of North Newton Township. Administratrix: Stephanie M. Hurley

Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Notarianni, Victor Duane a/k/a Victor Notarianni a/k/a Victor D. Notarianni, dec'd.

Late of the Township of Upper Allen.

Executrix: Nicole Notarianni Crocker.

Attorneys: Melissa L. Kelso, Esquire, Kelso Law, LLC, 396 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

Oka, George Y., dec'd.

Late of South Middleton Township. Executrix: Wanda K. Oka.

Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Reardon, Patrick John, dec'd.

Late of the Township of East Pennsboro.

Executor: Michael Reardon, 609 Ridge Road, Lewisberry, PA 17339. Attorney: None.

Rice, Vera J. a/k/a Vera Jean Rice, dec'd.

Late of North Newton Township. Co-Executors: Rodney E. Rice, Lisa K. Smith and Randall D. Smith.

Attorney: Andrew H. Shaw, Esquire, 2011 W. Trindle Road, Carlisle, PA 17013, (717) 243-7135.

Rotz, Bruce K., Sr., dec'd.

Late of Southampton Township. Executrix: Patsy A. Rotz c/o Thomas P. Gleason, Esquire, 825 West King Street, Suite E, Shippensburg, PA 17257.

Attorney: Thomas P. Gleason, Esquire, 825 West King Street, Suite E, Shippensburg, PA 17257, (717) 532-3270.

Spangler, Jason M., dec'd.

Late of Silver Spring Township. Administrator: Bryan J. Spangler c/o Martson Law Offices, 10 East High Street, Carlisle, PA 17013. Attorneys: Christopher E. Rice, Esquire, Martson Law Offices.

Tompkins, Elaine C., dec'd. Late of Mechanicsburg.

Executors: William B. Carter, Robert M. Carter and Stacy K. Carter.

Attorneys: Reilly Wolfson Law Office, 1601 Cornwall Road, Lebanon, PA 17042.

Williamson, John E., III, dec'd.

Late of Upper Allen Township. Administratrix: Crescencia Williamson c/o Craig A. Hatch, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.

Attorneys: Craig A. Hatch, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.

Wilshusen, Jane P., dec'd.

Late of Mechanicsburg, Lower Allen Township.

Executrix: Katherine W. McElveen, 11390 Rim Rock Trail, Austin, TX 78737.

Attorneys: Kevin Koscil, Esquire, Barley Snyder, 213 Market Street, 12th Floor, Harrisburg, PA 17101.

SECOND PUBLICATION

Allwein, Dale F., dec'd.

Late of Monroe Township.

Administratrix: Debra A. Walburn.

Attorneys: Aviv S. Bliwas, Esquire, Family First Law, LLC, 3514 Trindle Rd., 2nd Floor, Camp Hill, PA 17011, (717) 761-4864.

Balum, Rosemary T., dec'd.

Late of East Pennsboro Township. Co-Executors: Christina M. Maier and Joseph T. Balum, III.

Attorneys: Aaron C. Jackson, Esquire, Jackson Law Firm, PLLC, 1215 Manor Drive, Suite 202, Mechanicsburg, PA 17055, (717) 620-7119.

Bock, Dora M., dec'd.

Late of East Pennsboro Township.

Executor: Alvin E. Bock, III. Attorneys: Edmund G. Myers, Esquire, Johnson, Duffie, Stewart & Weidner, P.C., 301 Market Street, P.O. Box 109, Lemoyne, PA 17043.

Brewer, Steven A., dec'd.

Late of Hampden Township. Administrators: Scott E. Brewer and Sheila B. Sharadin. Attorneys: Aviv S. Bliwas, Esquire, Family First Law, LLC, 3514 Trindle Rd., 2nd Floor, Camp Hill, PA 17011, (717) 761-4864.

Brown, Ruth A., dec'd.

Late of Carlisle Borough.
Co-Executors: Clifton Ardell
Brown, III, 18 Grandview Drive,
Duncannon, PA 17020 and Philip
Lloyd Brown, 244 Bridges Creek
Road, Colonial Beach, VA 22443.
Attorneys: Andrew S. Withers,
Esquire, Etzweiler and Withers,
105 N. Front Street, Harrisburg,
PA 17101, (717) 234-5600.

Burch, John Joseph, dec'd.

Late of Upper Allen Township. Administratrix: Bernadette B. Burch c/o Craig A. Hatch, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.

Attorneys: Craig A. Hatch, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.

Chaback, Mark B., dec'd.

Late of Shiremanstown Borough. Administratrix: Cara C. Chaback c/o Jennifer B. Hipp, Esquire, Bogar & Hipp Law Offices, LLC, One West Main Street, Shiremanstown, PA 17011.

Attorneys: Jennifer B. Hipp, Esquire, Bogar & Hipp Law Offices, LLC, One West Main Street, Shiremanstown, PA 17011.

Coyle, Regina Ann, dec'd.

Late of Enola.

Administrator: Frank J. Stabryla, 78 Exley Lane, Mildred, PA 18632. Attorney: John A. Shoemaker, Esquire, 127 Headley Ave., Dushore, PA 18614, (570) 928-7374.

Fry, William J., dec'd.

Late of North Middleton Township. Executrix: Susan Rider c/o Timothy M. Anstine, Esquire, Anstinelaw, LLC, 161 Old Schoolhouse Lane, Suite 3, Mechanicsburg, PA 17055.

Attorneys: Anstinelaw LLC.

Gumby, Harriett L., dec'd.

Late of South Middleton Town-

Executrix: Janice G. Sweeney c/o James D. Hughes, Esquire, Salzmann Hughes PC, 354 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

Attorneys: Salzmann Hughes, P.C.

Haines, Stanley R., dec'd.

Late of Cumberland County. Co-Executrices: Bonita S. Thumma and Jessica R. Williams c/o Nicholas O. Schwartz, Esquire, Allied Attorneys of Central Pennsylvania, LLC, 61 West Louther St., Carlisle, PA 17013.

Attorneys: Nicholas O. Schwartz, Esquire, Allied Attorneys of Central Pennsylvania, LLC, 61 West Louther St., Carlisle, PA 17013.

Miller, Donald E., dec'd.

Late of Upper Allen Township. Executor: Thomas A. Miller. Attorneys: Mark C. Duffie, Esquire, Johnson, Duffie, Stewart & Weidner, P.C., 301 Market Street, P.O. Box 109, Lemoyne, PA 17043.

Morrow, Wayne Jackson a/k/a Wayne J. Morrow a/k/a Wayne Morrow, dec'd.

Late of Silver Spring Township.

Executrix: Jennifer L. Wiley c/o Patrick J. Schaeffer, Esquire and Laura E. Bayer, Esquire, Trinity Law, 1681 Kenneth Road, Building 2, York, PA 17408.

Attorneys: Patrick J. Schaeffer, Esquire and Laura E. Bayer, Esquire, Trinity Law, 1681 Kenneth Road, Building 2, York, PA 17408.

Mumper, Jay C., dec'd.

Late of the Borough of Carlisle. Executrix: Susan N. Schreiner, 480 Big Spring Road, New Cumberland, PA 17070.

Attorney: None.

Ronemus, Faye Louise, dec'd.

Late of Hampden Township. Administrator: Rollin E. Ronemus, Jr., 3717 Concordia Rd., Columbia, PA 17512. Attorney: None.

Souders, Ray F., Jr., dec'd.

Late of Lemoyne Borough.

Executrix: Raetta Souders a/k/a Raetta L. Souders.

Attorneys: Marvin Beshore, Esquire, Johnson, Duffie, Stewart & Weidner, P.C., 301 Market Street, P.O. Box 109, Lemoyne, PA 17043.

Swarner, Marlin L., dec'd.

Late of West Pennsboro Township. Executors: Debra E. Swarner and Marlin L. Swarner, II c/o James D. Hughes, Esquire, Salzmann Hughes PC, 354 Alexander Spring Road, Suite 1, Carlisle, PA 17015. Attorneys: Salzmann Hughes, P.C.

Truckor, Georgiana Susan, dec'd. Late of Hampden Township.

Executrix: Dionne E. Johnston. Attorneys: Aaron C. Jackson, Esquire, Jackson Law Firm, PLLC, 1215 Manor Drive, Suite 202, Mechanicsburg, PA 17055, (717) 620-7119.

Winchester, Pearl C., dec'd.

Late of Upper Allen Township. Executrix: Susan L. Anderson c/o Aevitas Law, PLLC, 1755 Oregon Pike, Suite 201, Lancaster, PA 17601.

Attorneys: Neil R. Vestermark, Esquire, Aevitas Law, PLLC.

Yoder, Heather S.R. a/k/a Heather R. Yoder a/k/a Heather S. Yoder. dec'd.

Late of Hampden Township. Personal Representative: Steven D. Reider, 120 Sholly Drive, Mechanicsburg, PA 17055-5841. Attorneys: Teeter Law Office, 108 West Middle Street, Gettysburg, PA 17325.

THIRD PUBLICATION

Clopper, Jane E., dec'd.

Late of Dickinson Township. Executor: Scott A. Clopper c/o James M. Robinson, Esquire, Salzmann Hughes PC, 354 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

Attorneys: Salzmann Hughes, P.C.

Fanus, Ronald E., dec'd.

Late of Cumberland County.
Administrator: Brian K. Fanus c/o
Nicholas O. Schwartz, Esquire,
Allied Attorneys of Central Pennsylvania, LLC, 61 West Louther
St., Carlisle, PA 17013.

Attorneys: Nicholas O. Schwartz, Esquire, Allied Attorneys of Central Pennsylvania, LLC, 61 West Louther St., Carlisle, PA 17013.

Hoffman, Sharon L., dec'd.

Late of Monroe Township.
Executor: Edward L. Hoffman c/o
James D. Bogar, Esquire, Bogar
& Hipp Law Offices, LLC, One
West Main Street, Shiremanstown, PA 17011.

Attorneys: James D. Bogar, Esquire, Bogar & Hipp Law Offices, LLC, One West Main Street, Shiremanstown, PA 17011.

Martin, Olive M., dec'd.

Late of Carlisle.

Executrix: Christina M. Martin-Anderson, 3 Montadale Drive, Dillsburg, PA 17019. Attorney: None.

Maslowski, Thomas R., dec'd.

Late of the Borough of Mechanicsburg.

Executrix: Fae K. Maslowski. Attorneys: Law Offices Stephen C. Nudel, PC, 219 Pine Street, Harrisburg, PA 17101.

McGaughey, Frances R., dec'd.

Late of Newville, Newville Borough.

Executor: Harry J. Rinehart, Jr. Attorneys: Wm. D. Schrack, III, Esquire, Benn Law Firm, 124 West Harrisburg Street, Dillsburg, PA 17019-1268.

Morrow, Jewel McKeaver, dec'd.

Late of Silver Spring Township. Executrix: Andra L. McKeaver, 1821 Beaver Creek Lane, Hephzibah, GA 30815.

Attorney: Michael C. Giordano, Esquire, Attorney & Counselor at Law, 221 W. Main Street, Mechanicsburg, PA 17055.

Nissel, Hilda M., dec'd.

Late of New Cumberland Borough. Executors: Patricia M. Strickler and Ronald L. Nissel.

Attorneys: Murrel R. Walters, III, Esquire, Walters & Galloway, PLLC, 54 East Main Street, Mechanicsburg, PA 17055.

Ritter, Donna L., dec'd.

Late of Lower Allen Township. Co-Executors: Mark E. Ritter and Cheryl A. Stouffer c/o James D. Bogar, Esquire, Bogar & Hipp Law Offices, LLC, One West Main Street, Shiremanstown, PA 17011. Attorneys: James D. Bogar, Esquire, Bogar & Hipp Law Offices, LLC, One West Main Street, Shiremanstown, PA 17011.

Ryan, Edith Marie, dec'd.

Late of East Pennsboro Township. Executor: Robert Scruggs c/o Benjamin R. Yoffee, Esquire, Attorney at Law, P.O. Box 605, New Bloomfield, PA 17068.
Attorney: Benjamin R. Yoffee,

Attorney: Benjamin R. Yoffee, Esquire, Attorney at Law.

Smith, Randall Eugene a/k/a Randall Smith a/k/a Randall E. Smith, dec'd.

Late of North Middleton Township. Executrix: Cynthia Spitman. Attorneys: Melissa L. Kelso, Esquire, Kelso Law, LLC, 396 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

Sternberg, Stephen J. a/k/a Steeve J. Sternberg a/k/a Steeve Sternberg, dec'd.

Late of Middlesex Township. Co-Executors: Brian J. Goldman and Robert A. Sternberg. Attorneys: Melissa L. Kelso, Esquire, Kelso Law, LLC, 396 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

NOTICE

In the Court of Common Pleas of Cumberland County, Pennsylvania Civil Action—Law

No.: 2022-00303

NOTICE IS HEREBY GIVEN that the Petition of L.H.A. a/k/a L.H.A., D.H.A. a/k/a A.A. and A.H.A., Minor Children of Ahmed Hassan Abdille f/k/a Hassan Abdille Abdiand Noorto Abdullahi Barre f/k/a Abdio Hussein Mohamed has been filed by and through their natural parents, Petitioners, Ahmed Hassan

Abdille f/k/a Hassan Abdille Abdi and Noorto Abdullahi Barre f/k/a Abdio Hussein Mohamed requesting an order to change the name of said minor children to L.A.A., D.A.A. and A.A.A. respectively.

The Court has fixed March 11, 2022 at 11:00 A.M. in Courtroom No. 7 of the Cumberland County Courthouse, One Courthouse Square, Carlisle, PA 17013, for the hearing of the Petition. All persons interested may appear and show cause, if any, why the request of the Petitioners should not be granted.

KARL M. LEDEBOHM, ESQUIRE Attorney for Petitioners P.O. Box 173 New Cumberland, PA 17070-0173 (717) 938-6929

Feb. 11

PUBLICATION NOTICE

In the Court of Common Pleas of Cumberland County, Pennsylvania Civil Action—Law

NO. 2018-05088

NOTICE IS HEREBY GIVEN that a Petition has been filed in the above-named Court by Holly Daily and James Daily, grandparents of Demetrius Michael Price, on behalf of Demetrius Michael Price, a minor, praying for a Decree to change the name of DEMETRIUS MICHAEL PRICE to DEMETRIUS MICHAEL DAILY.

The Court has fixed March 14, 2022, at 9:00 A.M. in Courtroom No. 7 of the Cumberland County Courthouse, Carlisle, Pennsylvania as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petitioner should not be granted.

TABETHA A. TANNER, ESQUIRE TANNER LAW OFFICES, LLC Attorneys for Petitioner 2145 Market Street Camp Hill, PA 17011

Feb. 11

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name:

SUNRISE FAMILY FARM for conduct of business Cumberland County, Pennsylvania, with the principal place of business being: 575 Park Drive, Boiling Springs, PA 17007 was made to the Department of State of the Commonwealth of Pennsyvania at Harrisburg, Pennsylvania on November 1, 2021 pursuant

The name and address of the persons owning or interested in the said business are: Kenneth and Linnea Charles, 575 Park Drive, Boiling Springs, PA 17007.

to the Act of Assembly of December

16, 1982, Act 295.

Feb. 11

NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on December 28, 2021, for the purpose of incorporating a Professional Business Corporation organized under the Pennsylvania Business Corporation Law of 1988, as amended. The name of the corporation is:

LEAD LAMP MEDIA, INC. David R. Campbell & Associates, LLC Attorneys

Feb. 11

NOTICE

NOTICE IS HEREBY GIVEN that Application for Registration of Fictitious Name for:

NobleYield

for conduct of business in Cumberland County, Pennsylvania, with the principal place of business being: 317 Pinewood Drive, Camp Hill, PA 17011, was filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on or about December 27, 2021, pursuant to the provisions of the Fictitious Name Act of December 16, 1982, Act 295 (54 Pa. C.S. §311 et seq.).

The name and address of the entity owning or interested in the said business are: Noble Yield Wealth Management LLC, 317 Pinewood Drive, Camp Hill, PA 17011.

WALTERS & GALLOWAY, PLLC 54 E. Main Street Mechanicsburg, PA 17055

Feb. 11

LCL-PA

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1-888-999-1941

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- other emotional or mental health problems.

NOTES



* Dated Material. Do Not Delay. Please Deliver Before Monday, February 14, 2022