



Grandparents Raising Grandchildren: A Quick Guide to Custody

More than 80,000 older Pennsylvanians are raising their grandchildren when parents cannot.*

Pennsylvania allows grandparents and others to petition the court for custody in certain limited situations.

Depending on your specific circumstances, you may be able to ask for physical custody or control and/or legal custody giving you the right to make decisions in the child's best interest. The court may consider if:

- » The child is substantially at risk due to parental abuse, neglect or incapacity, drug or alcohol abuse
- » The child resided with you for at least 12 consecutive months and then was removed from the home by the parent
- » The birth parent is deceased
- » The parents do not agree that grandparents should have custody

In making its decision to grant custody, the court will consider what is in the best interest of the child by looking at all relevant factors, including:

- » The child's safety, including whether there is a history of drug or alcohol abuse in the household
- » The physical, emotional, developmental and educational needs of the child
- » The need for stability and continuity in a child's education, family life and community life
- » The parental duties performed by each party
- » Criminal background of household members
- » The child's well-reasoned preference

While you are not required to have a lawyer to seek custody, a lawyer can help you navigate the legal system and know your rights and options. Learn more about grandparents-raising-grandchildren, available resources and custody forms.

If you are 60 or older, you may contact SeniorLAW Center at **1-877-727-7529** for free legal resources** or go to **www.bit.ly/GrandparentsRaisingGrandchildren**.

If you are under 60, you may contact the PA Bar Association at **www.bit.ly/PABar_Grandparent_Resources** for additional resources.**

*Grandfamilies.org, 2017

** These are not AARP resources. Please note any information you provide to the host organizations shall be governed by their respective privacy policies.