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WYOMISSING-READING-BERKS COUNTY GRANDPARENTS ATTORNEY

Attorney Jana R. Barnett represents grandparents who seek custody or visitation rights, as well as parents who believe that grandparents should not have so much access.

Pennsylvania law allows grandparents to get physical custody, legal custody and visitation of their grandchildren under certain circumstances.

Grandparents may obtain physical and/or legal custody if a Court finds that:

- The grandparents “have genuine care and concern for the child;”
- The grandparents’ relationship with the child began with the consent of one or both of the child’s parents or pursuant to a Court Order; and,
- Either:
 - The grandparents acted as the child’s parents for at least twelve (12) months;
 - The grandparents were responsible for the child after the child was found to be a dependent child; or,
 - The child is deemed to be substantially at risk because of parental abuse, neglect, drug or alcohol abuse or mental illness. The court may issue a temporary Order, as well as a permanent Order.

Grandparents may be granted partial custody and/or visitation rights under three (3) different circumstances:

- If one of the child’s parents has died (23 Pa.C.S. § 5311);
- When married parents have been separated for at least six months (23 Pa.C.S. § 5312); or,
- When the child has lived with the grandparents for at least twelve months, and is removed from the grandparents’ home by his or her parents (23 Pa.C.S. § 5313).

Among other things, the Court will consider the amount of personal contact the grandparents and child had before the grandparents sought custody and/or visitation. The grandparents will be given partial custody and/or visitation if the Court finds that visitation rights would be in the best interest of

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the child and would not interfere with the parent-child relationship.

To read statutes and related materials, please visit www.janarbarnettesq.com

If you would like to speak with Attorney Jana R. Barnett about the rights of grandparents to seek custody or visitation, and learn how she can assist you, call her at 610-478-1860, or click here to send her an e-mail, and she will reply as quickly as possible.

Attorney Jana R. Barnett's offices are located at 525 Kenhorst Boulevard, Reading, PA 19611 and 1238 Cleveland Avenue, Wyomissing, PA 19610-2102. Attorney Jana R. Barnett practices family law, employment law, and employment discrimination law in Reading, Wyomissing and the surrounding cities and towns, as well as in Berks County, Bucks County, Chester County, Delaware County, Lancaster County, Lehigh County, Montgomery County, Northampton County, Philadelphia County and in the United States District Court for the Eastern District of Pennsylvania and the United States District Court for the Middle District of Pennsylvania.