

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

IN THE INTEREST OF: I.R.

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

APPEAL OF: C.E.

No. 1990 WDA 2013

Appeal from the Order November 8, 2013  
in the Court of Common Pleas of Beaver County  
Civil Division, at No(s): 164 of 2013

BEFORE: GANTMAN, P.J., DONOHUE, and FITZGERALD\*, JJ.

MEMORANDUM BY FITZGERALD, J.:

**FILED JULY 11, 2014**

C.E. ("Father") appeals from the orders dated and entered on October 17, 2013, and November 8, 2013, respectively, in the Beaver County Court of Common Pleas, Juvenile Court Division, finding the existence of aggravated circumstances, pursuant to 42 Pa.C.S. § 6302, as to Father with respect to his son, I.R. ("Child"), born in July of 2012, and changing Child's placement goal from reunification to adoption, pursuant to 42 Pa.C.S. § 6351.<sup>1</sup> We affirm.

The relevant facts and procedural history of this case are as follows. On September 20, 2013, Sergeant Dawn Shane of the Rochester Borough Police Department ("Rochester Police") in Beaver County, Pennsylvania, received a communication from the Beaver County 9-1-1 Center directing

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\* Former Justice specially assigned to Superior Court.

<sup>1</sup> Pursuant to its October 17, 2013 order, the trial court also issued a finding of aggravated circumstances as to A.K.R. ("Mother") with respect to Child. Mother did not file an appeal from the trial court's order, nor is she a party to this appeal.

her to contact Child's maternal grandmother, L.S. ("Maternal Grandmother"), who resides in New Jersey. Trial Ct. Op., 12/24/13, at 4. Sergeant Shane telephoned Maternal Grandmother, who informed the Sergeant that on September 19, 2013, Mother, who resides in Rochester, Beaver County, Pennsylvania, had contacted Maternal Grandmother, asking for Child's social security information for the purpose of applying for health insurance. **Id.** Mother explained to Maternal Grandmother that Child was in need of medical attention because he had fallen out of his stroller, injuring his arm. **Id.** at 4-5. Maternal Grandmother instructed Mother to take Child to the hospital, warning that if Mother failed to do so by 12:00 p.m. on September 20, 2013, she would contact the Rochester Police. **Id.** at 5. When Maternal Grandmother did not hear from Mother by 12:00 p.m. on September 20, 2013, she called the Rochester Police. N. T., 10/15/13, at 71.

Sergeant Shane, accompanied by Officer Cesar Chavez, proceeded to Mother's residence, where Mother's boyfriend, N.H., and Mother's boyfriend's mother, K.H., also reside. **Id.** at 72, 74-75. Upon arriving at Mother's residence, the officers were received by K.H. Trial Ct. Op. at 5. K.H. indicated that she was unaware of Mother's whereabouts but directed the officers to Father's residence where she believed Child to be located. **Id.** K.H. also indicated to the officers that Mother was neglectful of Child when he was in her care. **Id.**

Sergeant Shane and Officer Chavez then proceeded to Father's residence, located just a few streets from Mother's residence. **Id.** Father was at home and advised the officers that Child was also present. **Id.** Sergeant Shane requested that Father retrieve Child so that the officers could observe him. **Id.** When Father brought Child to the officers, Sergeant Shane observed that Child had a swollen forehead, a bruised cheek, an apparent broken arm, and a severely infected and swollen lip, and that Child appeared to be in shock. **Id.** Based on these observations, Sergeant Shane immediately determined that Child was in need of medical attention and called for an ambulance. **Id.** When asked by Sergeant Shane why he had not sought medical attention for Child, Father replied that "he knows [Child], and [Child] was fine." **Id.** at 5-6.

The Rochester Police and medical personnel took custody of Child and transported him to Heritage Valley Beaver Medical Center ("Heritage Valley") for treatment. **Id.** at 6. Officer Chavez transported Father to the police department for questioning while Sergeant Shane contacted Detective Kim Clements of the Beaver County District Attorney's Office Detective Bureau as well as Beaver County Children & Youth Services ("BCCYS"). **Id.** A BCCYS caseworker, Nicole DiCicco, met Sergeant Shane and Detective Clements at Heritage Valley, where she observed Child to be in a compromised medical condition and took photographs of Child in the emergency room. **Id.** at 1-2. Upon examination of Child, medical personnel at Heritage Valley determined

that Child should be transferred to Children's Hospital of Pittsburgh ("Children's Hospital"). **Id.** at 6. After Child was life-flighted to Children's Hospital, Sergeant Shane returned to the police department to participate in police interviews of Father, Mother, N.H., and K.H. **Id.**

When questioned about Child's injuries during the police interview, Mother responded that Child's infected lip was from teething and drooling and that Child had injured his arm three days prior to September 20, 2013, when he fell out of his stroller, but that she did not seek medical attention for Child's injuries. **Id.** Mother denied that Child had any other injuries. **Id.** Mother also related that on a prior occasion, Child exhibited eye problems and was in a nearly comatose state for a number of days after returning from Father's care, but that she did not seek medical attention for Child on this prior occasion either. **Id.** Both Mother and Father communicated that Child had been in Father's care since approximately 9:00 p.m. on September 19, 2013. **Id.** at 7. Further, Father provided the Rochester Police with a Facebook message that he apparently sent to Mother at 7:50 a.m. on September 20, 2013, indicating that Child was in need of medical attention because his arm appeared to be broken. **Id.** However, despite his recognition of Child's injury, Father did not seek medical attention for Child. **Id.** As a result of their investigation, the Rochester Police filed criminal charges of aggravated assault, simple assault, endangering the welfare of a child, and recklessly endangering another person against Mother and N.H.,

and charges of endangering the welfare of a child and recklessly endangering another person against Father and K.H. **Id.** Both Mother and Father have remained incarcerated since the filing of charges. **Id.**

On September 23, 2013, BCCYS made application for, and the trial court granted, an order for emergency protective custody. **Id.** at 2. The order transferred legal and physical custody of Child to BCCYS and provided that upon his release from the hospital, Child would be placed in foster care. **Id.** BCCYS also filed a dependency petition on September 23, 2013. **Id.** On September 25, 2013, the Juvenile Court Master ("the Master") conducted a shelter care hearing, at the conclusion of which the Master issued its finding that to allow Child to remain in the home of his parents would be contrary to Child's welfare. **Id.** The Master recommended that legal and physical custody of Child remain with BCCYS, and that Child be placed in foster care upon discharge from the hospital. **Id.** The Master further recommended that there be no contact between Child and his parents or N.H., and that the location of Child upon release from the hospital not be disclosed to his parents. **Id.** On September 27, 2013, the trial court issued an order approving the Master's recommendations. **Id.**

On October 1, 2013, BCCYS filed a motion for aggravated circumstances. **Id.** A hearing before the Master regarding BCCYS's dependency petition and motion for aggravated circumstances was scheduled for October 3, 2013. **Id.** at 2-3. At the October 3, 2013 hearing,

both parents' respective counsels requested that the matter be heard by the trial court, and the hearing was continued to October 15, 2013. *Id.* at 3.

On October 15, 2013, the trial court held a dependency hearing at which BCCYS presented testimony from Sergeant Shane, Ms. DiCicco, and Dr. Jennifer E. Wolford, D.O., M.P.H., of Children's Hospital. Neither parent offered any testimony or evidence at the hearing. Dr. Wolford gave testimony regarding Child's medical condition upon his arrival at Children's Hospital on September 20, 2013. Her primary responsibility was the evaluation and diagnosis of child abuse and child maltreatment. N.T., 10/15/13, at 7. She testified, *inter alia*, as follows:

[Counsel for CYS]: Q: What was your assessment?

A: It's very clear that [Child] is a 13-month-old who's been the victim of physical abuse. This is simply a battered child. He has multiple injuries, and I can list those all for you. He had multiple bruises all over his body, as well as excoriations of unattended medical needs on his face and on his hands. So, it is my medical assessment with a very reasonable degree of medical certainty that [Child] had been the victim of physical child abuse on multiple, repeated occasions.

Q: Would there have been pain suffered with this abuse?

A: Severe pain. I actually think it would have been excruciating pain. Most particularly, he has a left arm fracture that was unattended to. It was red and swollen. There is thought that it could have been broken for days and harboring an infection. He continues now still to get treatment for it. I actually saw him today in my clinic. There is concern that the growth plate will never heal completely. So he may have growth issues, but that's just the most fresh of the other fractures, and I can't imagine sitting with that fracture unattended. So, not only was it

painful when it occurred, but he sat there with broken arms and legs without getting medical attention.

Q: And is it your findings that the particular injuries were suffered over a period of time and not all on one occasion?

A: It is my opinion . . . he had a fracture on his left ulna, which is one of the two bones in your forearm, with complete separation of the head of that bone. He also had a fracture in the left femur, which is your thigh bone, which is a huge bucket handle fracture consistent, almost pathognomonic for child abuse. His right tibia, he had a fracture. So, that's your shin bone. His left tibia down towards the foot, he had a fracture.

It's difficult to date the bucket handle in the thigh bone, but I will say that the left ulna fracture he got was generally fresh, again, harboring an infection. That the right tibia, and the, particularly the left tibia had some signs of healing to them. So they were a bit older. Your body starts to lay down new bone after about three days.

Additionally, . . . [h]e had multiple bruises of different colors on his face, extremities, and abdomen. Dating bruises is a bit of an imperfect science. However, we do know that most bruises are more reddish in their first twenty-four hours, and so he had multiple fading, yellow bruises over the forehead and cheeks. He had a large blue bruise on his right cheek, three blue bruises on his left cheek, so more bluish in color. . . .

So, with some signs of some heal—I just want to be clear—lacerations on his abdomen, and then he had on his left hand and wrist, it was red and swollen, and then on his finger he was very excoriated, but he actually was missing his fingernail, and then on his face he had this horrendous rash that had cracking. His mouth was actually bloody at its creases because of the excoriation of this unattended medical issue on his mouth and chin were so difficult.

**Id.** at 9-12.

Dr. Wolford identified several photographs taken of Child and described them for the court, detailing Child's injuries. **Id.** at 12-22. She testified that "our infectious disease doctor thought he could have died if he didn't get to (sic) the medical attention." **Id.** at 43. Dr. Wolford was questioned by the court. The court asked how long Child was in the hospital and Dr. Wolford stated he was admitted on September 20th and discharged on October 3rd. **Id.** at 55. She testified:

[The Court]: Could you describe for us the treatment that the hospital rendered to [Child]?

A: [Child] was pretty sick and in tons of pain. So, a lot of the initial pain management was the treatment with trying to get him more comfortable. He was casted. Both legs had been put into a cast, and he had been sedated for that.

And then the left arm they couldn't put a cast on because it was too swollen. So, on his third or fourth day, they had to do an ultrasound, and then they realized it was full of fluid in that wrist, and so they had to take him to the O.R. to do what we call an incision and drainage. That's when it was found that it was full of pus and infection. So, that was drained out, and then he had to have a long-term catheter placed, which we call a PICC line, a peripherally inserted central catheter, and he wears that now to today. It goes in in his elbow on his right arm  
. . . .

\* \* \*

Q: While in the hospital, did he undergo any surgery?

A: He did go to the operating room for incision and drainage . . . and then he also had to get sedated and go to the operating room just to have his legs casted, and then they do anticipate a potential future surgery for his arm.



\* \* \*

Q: Could you give us a prognosis for [Child]?

A: . . . The good news is that his brain looks normal. . . . He's been in a safe environment since he went home on October 3rd, and at October 15th, he's already looking better. He's moving around. . . .

Eventually these bones will heal. I don't know that he won't walk with a limp. I mean, he's had both legs broken in several places. I don't know that his arms are going to reach their full function again because when you're breaking down the ulna, you have got a lot of ligaments and things that go down through there for full function of his hands, but he does have his hands.

\* \* \*

He will probably take the next year to catch up developmentally. I find his speech right now to be poor. He obviously isn't walking. He's going to have to catch up with that. He's obviously not gaining the motor and developmental skills with his hands because both hands, one hand is bandaged, and the other one is casted. Eventually he will catch up. It might take him until kindergarten, frankly, because he's 14 months now.

\* \* \*

[Guardian *Ad Litem*]: . . . In your experience, would it have been clear as a caretaker that this child needed medical attention?

A: 100 percent, without a doubt.

Q: Okay.

A: It is gross neglect that this child was not taken to medical care before this.

**Id.** at 56-59, 65-68.

At the conclusion of the dependency hearing, the trial court “adjudicated Child dependent and issued a finding of aggravated circumstances as to both parents. The court directed that Child remain in foster care.” Trial Ct. Op. at 3.

On October 23, 2013, BCCYS filed a petition for a permanency review hearing to determine whether Child’s existing placement goal of reunification continued to be in Child’s best interest in light of the trial court’s finding of aggravated circumstances as to both parents. On November 7, 2013, the trial court conducted a permanency review hearing, at which BCCYS presented testimony from BCCYS caseworker, Toni Whiteleather. She testified as follows:

[Counsel for BCCYS]: What has transpired since the last hearing?

A: Since the last hearing, which was October 15th, the Adjudication Disposition Hearing, the Agency was granted aggravated circumstances, that the Agency no longer has to provide services to the family.

[Child] at this time is in foster care, and the Agency has completed an Interstate<sup>[2]</sup> to possibly place [Child] with his maternal grandmother . . . .

Q: And what is your recommendation?

A: The recommendation at this time is that the goal be changed to adoption.

Q: And that would be with the grandmother, is that correct.

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<sup>2</sup> Maternal grandmother resides in New Jersey. N.T., 11/7/13, at 8.

A: That's correct.

Q: Have you had contact with the grandmother?

A: Yes, I have.

\* \* \*

[Guardian *Ad Litem*]: In regards to these parents, there are accompanying criminal charges that were filed in regards to both parents, is that correct?

A: That's correct.

Q: And are you familiar with those charges?

A: Yes.

Q: And do you know what charges those are?

A: [Mother] has been charged with aggravated assault, simple assault, endangering the welfare of a child, and reckless endangerment.

Q: [A]nd was there a preliminary hearing for her?

A: Yes, there was.

Q: And were those charges held over?

A: Yes, they were.

Q: And what about [Father]?

A: I believe he was charged with reckless endangerment and endangering the welfare of a child.

Q: And was there a preliminary hearing for [Father]?

A: Yes.

Q: And were those charges held over?

A: Yes.

Q: And due to the aggravated circumstances, there's obviously no services being provided to either of these parents, correct?

A: That's correct.

Q: So, can you conceive of any reason why there wouldn't be a goal change here today?

A: No.

Q: Have you talked to the grandmother in New Jersey about her being the placement option for [Child]?

A: Yes.

Q: And is she in agreement with that?

A: Yes.

Q: And what, can you give the court a, I guess a general overview of what those discussions were about her possibly taking Child?

A: [Grandmother] is in agreement that she would be willing to adopt [Child]. . . . I also questioned about future involvement with [Mother] and [Child], that if she should adopt [Child], that in no way, shape, or form would she be able to return [Child] to her care.

Q: And what was her response to that directive of you?

A: She was already well aware that she would not be able to return [Child] to [Mother].

N.T., 11/7/13, at 5-8.

Neither parent offered any testimony or evidence at the hearing. At the conclusion of the hearing, the trial court changed Child's placement goal from reunification to adoption "due to the serious nature of the charges that have been filed against both parents, and the obvious severe injuries

suffered by [Child] while in their care . . . .” **Id.** at 25. On December 4, 2013, Father simultaneously filed a timely notice of appeal and a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(a)(2)(i) and (b).

Father raises the following issues for our review:

I. Whether the trial court’s decision that clear and convincing evidence of aggravated circumstances was established as to Father pursuant to 42 Pa.C.S. § 6351(e)(2)[?]

II. Whether the trial court’s decision that clear and convincing evidence was established to change the placement goal from reunification to adoption pursuant to [42 Pa.C.S. § 6351(f)][?]

Father’s Brief at 4.

First, Father argues that BCCYS failed to establish by clear and convincing evidence the existence of aggravated circumstances with respect to Father and, thus, the trial court abused its discretion in so finding. Father does not dispute the testimony and evidence adduced regarding the extent and severity of Child’s injuries. Rather, Father contends that the evidence presented was insufficient to sustain the trial court’s finding that Child’s injuries were the result of Father’s conduct or neglect. **Id.** at 11. We disagree.

Our Supreme Court stated

the standard of review in dependency cases requires an appellate court to accept the findings of fact and credibility determinations of the trial court if they are supported by the record, but does not require the appellate court to

accept the lower court's inferences or conclusions of law. Accordingly, we review for an abuse of discretion.

***In re R.J.T.***, 9 A.3d 1179, 1190 (Pa. 2010).

Dependency matters are governed by the Juvenile Act, 42 Pa.C.S. §§ 6301-6364 ("the Act"). Section 6302 of the Act defines a dependent child as a child who:

is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals. A determination that there is a lack of proper parental care or control may be based upon evidence of conduct by the parent, guardian or other custodian that places the health, safety or welfare of the child at risk, including evidence of the parent's, guardian's or other custodian's use of alcohol or a controlled substance that places the health, safety or welfare of the child at risk[.]

42 Pa.C.S. § 6302.

In ***In re G.T.***, 845 A.2d 870 (Pa. Super. 2004), we stated:

The question of whether a child is lacking proper parental care or control so as to be a dependent child encompasses two discrete questions: whether the child presently is without proper parental care and control, and if so, whether such care and control are immediately available.

***Id.*** at 872 (internal quotation marks and citations omitted). "The burden of proof in a dependency proceeding is on the petitioner to demonstrate by clear and convincing evidence that a child meets that statutory definition of dependency." ***Id.***

Section 6341 of the Act, regarding the disposition of a dependent child, provides in pertinent part:

**(a) General rule.**—After hearing the evidence on the petition the court shall make and file its findings as to whether the child is a dependent child. . . .

\* \* \*

**(c) Finding of Dependency.**—If the court finds from clear and convincing evidence that the child is dependent, the court shall proceed immediately or at a postponed hearing, which shall occur not later than 20 days after adjudication if the child has been removed from his home, to make a proper disposition of the case.

**(c.1) Aggravated circumstances.**—If the county agency or the child’s attorney alleges the existence of aggravated circumstances and the court determines that the child is dependent, the court shall also determine if aggravated circumstances exist. If the court finds from clear and convincing evidence that aggravated circumstances exist, the court shall determine whether or not reasonable efforts to prevent or eliminate the need for removing the child from the home or to preserve and reunify the family shall be made or continue to be made and schedule a hearing as required in section 6351(e)(3) (relating to disposition of dependent child).

42 Pa.C.S. § 6341(a), (c) & (c.1). Here, the trial court found that aggravated circumstances existed in relation to Father, as defined under Section 6302(2) of the Act, which provides:

**“Aggravated circumstances.”** Any of the following circumstances:

\* \* \*

(2) The child or another child of the parent has been the victim of physical abuse resulting in serious bodily injury, sexual violence or aggravated physical neglect by the parent.

42 Pa.C.S. § 6302. The Act defines “serious bodily injury” as “[b]odily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.” **Id.** Aggravated physical neglect is defined as “any omission in the care of a child which results in a life-threatening condition or seriously impairs the child’s functioning.” **Id.**

The trial court opined:

Father admitted to changing Child’s diapers regularly, providing him with opportunity to observe Child’s entire body. Additionally, in her interview with the police, Mother related that following Child’s return to her after visiting with Father for one week in early September [2013], Child displayed difficulty with his eyes and appeared comatose. Father permitted Child to sleep in a stroller the night of September 19-20, 2013, in a deteriorated condition. Moreover, Father’s Facebook communication to Mother[,] indicating that Child’s arm appeared to be broken and Child should be taken to the hospital, supports the position of BCCYS that Father, in fact, was aware that Child had suffered an injury to his arm. . . . Even more telling is Father’s statement to Sergeant Shane in response to the officer’s inquiry as to the reason for not getting medical care for Child is that, “he knows his child and he was fine.” Sergeant Shane testified that she knew Child was medically compromised immediately upon observing him. Father took no action to seek medical attention for Child, and, instead, suggested to Mother that she take Child to the hospital.

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The testimony of Sergeant Shane, Caseworker DiCicco and Dr. Wolford, together with an examination of the photographs introduced at the hearing depicting Child’s condition at the time he was in Father’s care, clearly and convincingly establish that Child had suffered serious bodily injury and was the subject of aggravated physical



neglect on the part of Father as a result of Father's failure to seek medical attention for Child at a time that he was aware of Child's medical condition. The evidence was thus sufficient to establish aggravated[ed] circumstances on the part of Father.

Trial Ct. Op., at 13-14, 16-17. We agree.

We conclude that the trial court's factual findings are supported by clear and convincing evidence in the record, and we will not disturb the trial court's credibility determinations. ***See In re R.J.T.***, 9 A.3d at 1190. There was ample evidence from which the trial court could conclude that Child was the victim of physical abuse resulting in serious bodily injury and/or aggravated physical neglect, pursuant to Section 6302 of the Act, while in Father's care. As such, we discern no abuse of discretion on the part of the trial court in finding the existence of aggravated circumstances as to Father.

***See id.***

Lastly, Father contends that the trial court erred in changing Child's placement goal from reunification to adoption. Father argues that because the trial court's finding of aggravated circumstances was unsupported by the evidence, in conjunction with the fact that the decision to change Child's placement goal occurred "a mere twenty-three days after aggravated[ed] circumstances were found", the trial court committed an abuse of discretion in concluding that changing Child's placement goal to adoption would be in Child's best interest. Father's Brief at 12-13. We disagree.

Our standard of review of a trial court's change of goal from reunification to adoption is as follows:

When reviewing an order regarding the change of a placement goal of a dependent child pursuant to the Juvenile Act, 42 Pa. C.S.A. § 6301, *et seq.*, our standard of review is abuse of discretion. When reviewing such a decision, we are bound by the facts as found by the trial court unless they are not supported in the record.

***In re B.S.***, 861 A.2d 974, 976 (Pa. Super. 2004) (citation omitted). In addition, we note that, "in a change of goal proceeding, the best interests of the child and not the interests of the parent must guide the trial court, and the burden is on the child welfare agency involved to prove that a change in goal would be in the child's best interest." ***In re R.I.S.***, 36 A.3d 567, 573 (Pa. 2011) (citations omitted).

Section 6351(f) of the Act sets forth the criteria the trial court considers in a permanency review hearing.

**(f) Matters to be determined at permanency hearing.**—At each permanency hearing, a court shall determine all of the following:

- (1) The continuing necessity for and appropriateness of the placement.
- (2) The appropriateness, feasibility and extent of compliance with the permanency plan developed for the child.
- (3) The extent of progress made toward alleviating the circumstances which necessitated the original placement.
- (4) The appropriateness and feasibility of the current placement goal for the child.

(5) The likely date by which the placement goal for the child might be achieved.

(5.1) Whether reasonable efforts were made to finalize the permanency plan in effect.

(6) Whether the child is safe.

\* \* \*

(9) If the child has been in placement for at least 15 of the last 22 months or the court has determined that aggravated circumstances exist and that reasonable efforts to prevent or eliminate the need to remove the child from the child's parent, guardian or custodian or to preserve and reunify the family need not be made or continue to be made, whether the county agency has filed or sought to join a petition to terminate parental rights and to identify, recruit, process and approve a qualified family to adopt the child unless:

(i) the child is being cared for by a relative best suited to the physical, mental and moral welfare of the child;

(ii) the county agency has documented a compelling reason for determining that filing a petition to terminate parental rights would not serve the needs and welfare of the child; or

(iii) the child's family has not been provided with necessary services to achieve the safe return to the child's parent, guardian or custodian within the time frames set forth in the permanency plan.

42 Pa.C.S. § 6351(f).

In arriving at its decision to change Child's placement goal, the trial court reasoned:

In accordance with [section 6351(f) of the Act], the [trial court] . . . determined that placement of Child continued to be necessary and appropriate; the

permanency plan developed for Child was not appropriate or feasible due to the [trial court] previously finding aggravat[ed] circumstances and ordering that no further services be provided, thus making reunification unfeasible; that neither parent had made any progress to alleviate the circumstances which necessitated the original placement due to the parents remaining incarcerated on charges relating to the physical abuse of Child, and not being offered services due to the granting of aggravat[ed] circumstances; that the current placement goal was not appropriate or feasible; that reasonable efforts to finalize the permanency plan were developed and Child was safe in the current placement. In addition, the court determined that due to the finding of aggravat[ed] circumstances, reasonable efforts to prevent or eliminate the need to remove Child from the Child's parent need not be made or continue to be made.

The extent of the physical abuse inflicted on Child, Father's complete disregard for taking appropriate and necessary action to address Child's serious medical needs, and Father's failure to present any evidence that he was willing or capable of being a resource to provide proper care for Child, all amply demonstrate that Child's safety, permanency and well-being would not be served in the care and custody of Father. Therefore, reunification is not in the best interest of [] Child, and the change of goal to adoption was justified.

Trial Ct. Op., at 21-22. We agree.

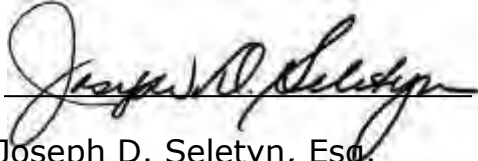
We conclude that the trial court's findings are supported by the record, and that it reasonably concluded that placement for adoption, not reunification with Father, would best serve the best interests of Child. **See *In re R.I.S.***, 36 A.3d at 573. Thus, we discern no abuse of discretion in the trial court's decision to change Child's placement goal from reunification to adoption. ***In re B.S.***, 861 A.2d at 976.

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Accordingly, for the reasons stated above, we affirm the trial court's finding of aggravated circumstances and changing Child's placement goal from reunification to adoption.

Orders affirmed.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 7/11/2014