

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

IN THE INTEREST OF: S.K.P., A MINOR

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

APPEAL OF: C.P., MOTHER

No. 2295 MDA 2013

Appeal from the Order Entered December 10, 2013  
In the Court of Common Pleas of Centre County  
Juvenile Division at No(s): CP-14-DP-2-2011

IN THE INTEREST OF: E.J.P., A MINOR

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

APPEAL OF: C.P., MOTHER

No. 2296 MDA 2013

Appeal from the Order Entered December 10, 2013  
In the Court of Common Pleas of Centre County  
Juvenile Division at No(s): CP-14-DP-3-2011

IN THE INTEREST OF: T.M.P., A MINOR

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

APPEAL OF: C.P., MOTHER

No. 2297 MDA 2013

Appeal from the Order Entered November 25, 2013  
In the Court of Common Pleas of Centre County  
Juvenile Division at No(s): CP-14-DP-4-2011

BEFORE: BENDER, P.J.E., MUNDY, J., and JENKINS, J.

MEMORANDUM BY MUNDY, J.:

**FILED JUNE 06, 2014**

Appellant, C.P. (Mother),<sup>1</sup> appeals from the November 25 and December 10, 2013<sup>2</sup> orders terminating the dependency of her biological sons, S.K.P., T.M.P., and E.J.P., and transferring their legal and physical custody to Foster Mother, K.P., as their subsidized permanent legal custodian (SPLC). After careful review, we remand for proceedings consistent with this memorandum.<sup>3</sup>

We summarize the relevant factual and procedural history of this case as follows. On January 12, 2011, Centre County Children and Youth Services (CYS) filed petitions for emergency custody of S.K.P., T.M.P., and

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<sup>1</sup> S.K.P., E.J.P., and T.M.P.'s biological father, S.P. (Father), did not file an appeal.

<sup>2</sup> Mother purports to appeal from the trial court's orders dated November 22 and 25, 2013. We note that on appeal, "[t]he date of entry of an order in a matter subject to the Pennsylvania Rules of Civil Procedure shall be the day on which the clerk makes the notation in the docket that a notice of entry of the order has been given as required by Pa.[R.C.P.] 236(b)." Pa.R.A.P. 108(b). Herein, notice of entry of the order terminating T.M.P.'s dependency was entered on November 25, 2013, while notice of entry of the orders terminating S.K.P. and E.J.P.'s dependency was entered on December 10, 2013. We have adjusted the caption accordingly.

<sup>3</sup> On January 16, 2014, we consolidated Mother's appeals *sua sponte*, pursuant to Pennsylvania Rule of Appellate Procedure 513.

E.J.P., based upon allegations that Mother was administering her prescription sleeping pills to the boys.<sup>4</sup> The trial court granted CYS's petition that same day. The trial court subsequently held a 72-hour/shelter care hearing on January 14, 2011. During that hearing, Robin Cain, a CYS caseworker, testified as to the underlying allegations and the drug testing that was being performed on the boys' urine. N.T., 1/14/11, at 5.<sup>5</sup> Following that hearing, the trial court placed S.K.P., T.M.P., and E.J.P. in foster care.

On January 17, 2011, CYS filed dependency petitions for S.K.P., T.M.P., and E.J.P. Within those petitions, CYS outlined its history with the family, dating back to June 2005. The petitions addressed concerns about Mother's parenting abilities and mental health. The petitions also stated concerns about the mental health of S.K.P., T.M.P., and the boys' older twin sisters, B.P. and F.P.<sup>6</sup> CYS alleged F.P. and T.M.P. set fires within the family's home in October 2006 and January 2010, respectively. CYS also alleged that, in February 2010, B.P. threatened to cut S.K.P. and E.J.P. with a knife she kept in her bedroom. Additionally, the petitions claimed that S.K.P. sent a sexually explicit email to over 500 school students in March

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<sup>4</sup> S.K.P., T.M.P., and E.J.P. were born in March 1999, July 2001, and January 2004, respectively.

<sup>5</sup> We note the results of tests are absent from the certified record.

<sup>6</sup> B.P. and F.P. are not subjects of the instant appeal.

2010 and that he was admitted into the Meadows Psychiatric Hospital for anger and aggression issues in December 2010. CY5 also included the January 2011 allegations concerning Mother's administration of prescription medication to the boys.

The trial court held a 10-day hearing on January 21, 2011. At that time, Cain testified as to the aforementioned allegations. Following that hearing, the trial court found S.K.P., T.M.P., and E.J.P. to be dependent children and adopted these allegations as facts. Trial Court Orders of Adjudication and Disposition, 1/24/11. The trial court transferred legal custody of S.K.P., T.M.P., and E.J.P. to CY5 and placed the boys in foster care, with a placement goal of reunification with Mother. ***Id.***

The trial court held its initial permanency review hearing on June 13, 2011. At that hearing, Jennifer Hofe, a family reunification counselor for Family Intervention Crisis Services (FICS), testified. Hofe testified that Mother's goals with FICS include maintaining financial stability, satisfying her children's emotional, developmental, and physical needs, and sustaining her own physical and mental health. N.T., 6/13/11, at 5. Hofe testified that Mother struggled with supervising the boys during her visits. ***Id.*** at 10-12. Hofe also testified that she was concerned Mother merely attended mental health counseling and did not actively participate in the counseling sessions to reap their benefits. ***Id.*** at 10, 20. Following that hearing, the trial court found that S.K.P., T.M.P., and E.J.P. remained dependent children. Trial

Court Initial Permanency Review Orders, 6/14/11. The trial court found that placement continued to be necessary and appropriate, that Mother moderately complied with the permanency plan, and that she had made no progress towards alleviating the circumstances that necessitated the boys' original placement because she had been working with reunification services for merely three months. **Id.** S.K.P., T.M.P., and E.J.P.'s placement goals remained reunification. **Id.**

A second permanency review hearing was held on November 14, 2011. Another FICS reunification counselor, Emily Bumgarner, testified at that hearing. Bumgarner testified that Mother had visited regularly with the boys but noted Mother was tired during such sessions because she obtained a second job. N.T., 11/14/11, at 5-6. Bumgarner testified that during visits Mother brings food for the boys and engages them. **Id.** at 6-7. Yet, Bumgarner further testified that FICS has to "prompt" Mother to respond to the boys' needs and that Mother struggles with discipline. **Id.** at 7-9. Lastly, Bumgarner testified she is concerned with Mother's mental health and substance abuse as she received a violation for driving under the influence in September 2011. **Id.** at 9-14. Following that hearing, the trial court found that S.K.P., T.M.P., and E.J.P. remained dependent children. Trial Court Permanency Review Orders, 11/17/11. The trial court found that placement continued to be necessary and appropriate, that Mother substantially complied with the permanency plan, and that she made

minimal progress towards alleviating the circumstances necessitating placement. **Id.** S.K.P., T.M.P., and E.J.P.'s placement goals continued to be reunification. **Id.**

On March 27, 2012, the trial court held a third permanency review hearing. At this hearing, CYS requested the change of S.K.P., T.M.P., and E.J.P.'s placement goals from reunification to planned permanent living arrangement/long-term foster care. During this hearing, Bumgarner, Cain, and Father testified. Bumgarner testified that reunification services should cease based upon Mother's mental instability, alcohol abuse, and her lack of communication and engagement with service providers. **Id.** at 13. Cain testified that, if reunification efforts ended, Mother would still visit with the boys twice a month. **Id.** at 32. Cain confirmed that S.K.P., T.M.P., and E.J.P.'s court-appointed guardian *ad litem* (GAL) supported the change of the reunification goals. **Id.** at 34. Following that hearing, the trial court continued S.K.P., T.M.P., and E.J.P.'s dependency. Trial Court Permanency Review Orders, 3/27/12. The trial court found that the continued placement of S.K.P., T.M.P., and E.J.P. was necessary and appropriate, that Mother had minimally complied with the permanency plan, and that she made minimal progress towards alleviating the circumstances necessitating placement. **Id.** The trial court specifically found that Mother failed to fully address her mental health issues, continued to struggle with substance abuse, and declined to follow the recommendations of the FICS Team. **Id.** Of note, the

trial court changed S.K.P., T.M.P., and E.J.P.'s placement goal from reunification to planned permanent living arrangement/long-term foster care because Mother failed to make substantial progress in alleviating the placement circumstances within 15 months of placement. **Id.** As reunification was no longer S.K.P., T.M.P., and E.J.P.'s placement goals, the trial court terminated Mother's FICS services. **Id.** CY5 explained that it would not file to terminate Mother's parental rights because S.K.P., T.M.P., and E.J.P. have a close relationship with Mother and with B.P. and F.P., who remained in Mother's custody. **Id.**

A fourth permanency review hearing was held on August 24, 2012, at which time Father, and Janelle Miller, a CY5 caseworker, testified. Miller testified that the boys were doing well in their placement and that Mother was seeing them two times a month. N.T., 8/24/12, at 5. Miller also testified that Mother "has done amazing in the last six months and made a lot of turn-around[] in her private life." **Id.** at 10. Following that hearing, the trial court continued S.K.P., T.M.P., and E.J.P.'s dependency and placement. Trial Court Permanency Review Orders, 8/27/12. The trial court found that Mother has been minimally compliant with the permanency plan because "she has not been able to accept the long-term nature of [her sons'] placement and/or [their] need for permanency." **Id.** The trial court also found that Mother had "unresolved mental health and substance abuse issues [which] have historically had a negative impact on her ability to

effectively parent [her sons].” ***Id.*** In addition to keeping S.K.P., T.M.P., and E.J.P.’s current placement goals as long-term foster care, the trial court added a concurrent placement plan of placement with a non-relative legal custodian. ***Id.***

On March 12, 2013, the trial court held a fifth permanency review hearing. Miller again testified that the boys were doing well in placement. N.T., 3/12/13, at 5. Miller testified that Mother was visiting with the boys more frequently than CYS mandated by communicating directly with Foster Mother. ***Id.*** at 6. Specifically, Mother was seeing the boys almost every week and was receiving phone calls from them. ***Id.*** at 5. Following that hearing, the trial court continued dependency and found that Mother had minimally complied with the permanency plan and had made minimal progress towards alleviating the circumstances necessitating placement because “she has not been able to accept the long-term nature of [her sons’] placement and/or [their] need for permanency.” Trial Court Permanency Review Orders, 3/13/13. S.K.P., T.M.P., and E.J.P.’s permanency goals remained at long-term foster care but their concurrent placement plan was changed to placement with a legal custodian (relative). ***Id.***<sup>7</sup>

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<sup>7</sup> It appears from a review of the hearing testimony that this concurrent placement change was erroneous as no testimony was received regarding a legal custodian who was related to S.K.P., T.M.P., and E.J.P.



On July 3, 2013, CYS petitioned to change S.K.P., T.M.P., and E.J.P.'s permanency goals from long-term foster care to SPLC. CYS recommended that the trial court award permanent legal custody to Foster Mother. The trial court held hearings on CYS's petition on August 16 and November 22, 2013.<sup>8</sup> During the hearings, Joy Wiegand, the director of the family-based mental health program in State College for Keystone Human Services, Miller, Soo Jeong Youn, a graduate assistant and staff therapist at the Penn State Psychological Clinic, Mother, F.P., and B.P. testified. Following the hearings, the trial court adopted, as orders of court, CYS's proposed visitation schedule between Mother and S.K.P., T.M.P., and E.J.P. Trial Court Orders, 11/25/13. These visitation orders granted Mother one, three-hour visit with the boys each month. **Id.** Additionally, the trial court found S.K.P., T.M.P., and E.J.P. to be no longer dependent.<sup>9</sup> Trial Court Termination of Supervision Orders, 11/25/13 and 12/10/13. Within these termination orders, the trial court granted Foster Mother the authority to authorize and

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<sup>8</sup> The trial court initially continued the August 16, 2013 hearing to October 30, 2013. Mother requested a continuance of the October 30, 2013 hearing, which the trial court granted.

<sup>9</sup> We note that the trial court failed to enter an order specifically changing S.K.P., T.M.P., and E.J.P.'s placement goals to SPLC. The trial court merely referenced this goal change within its November 25 and December 10, 2013 orders terminating the trial court's supervision. **See** Trial Court Termination of Supervision Orders, 11/25/13 and 12/10/13 (stating that the reason for the termination of court supervision as "[S.K.P., T.M.P., and E.J.P. have] been placed in the custody of a permanent legal custodian and services from [CYS] are no longer needed[]").

approve S.K.P., T.M.P., and E.J.P.'s routine and extraordinary medical, dental, and psychological/psychiatric care and to make decisions regarding their education. **Id.** Also within these orders, the trial court concluded, "[r]easonable efforts have been made by [CYS] to finalize [S.K.P., T.M.P., and E.J.P.]'s permanency plan[s]." **Id.** On December 20, 2013, Mother filed these timely appeals concomitantly with her concise statement of matters complained of on appeal pursuant to Pennsylvania Rule of Appellate Procedure 1925(a)(2)(i).<sup>10</sup>

On appeal, Mother presents the following issues for our review.

- I. Did the trial court err by failing to make the findings required by statute to support the appointment of a permanent legal custodian?
- II. Has [Mother] been unconstitutionally deprived of her right to make decisions concerning the care, custody, and control of her children?
- III. Does the limitation of [Mother]'s visitation with her sons to three hours per month of tightly regulated contact violate [Mother]'s constitutional right to access to her children?

Mother's Brief at 4.

We review an order granting permanent legal custody for an abuse of discretion. **In re K.J.**, 27 A.3d 236, 241 (Pa. Super. 2011). "When

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<sup>10</sup> The trial court filed its Rule 1925(a) opinion on January 14, 2014. On March 13, 2014, Mother filed her appellate brief. S.K.P., E.J.P., and T.M.P.'s GAL filed an appellate brief on March 20, 2014, in support of the trial court's goal change to SPLC. CYS filed its appellate brief on March 28, 2014.

reviewing such a decision, we are bound by the facts as found by the trial court unless they are not supported in the record[,]” as “the court is in the best position to observe and rule on the credibility of the parties and witnesses.” **Id.**, citing **In re A.K.**, 906 A.2d 596, 599 (Pa. Super. 2006). Although bound by the trial court’s factual findings, “we are not bound by the trial court’s inferences, deductions, and conclusions therefrom; we must exercise our independent judgment in reviewing the court’s determination... and must order whatever right and justice dictate.” **Id.** As such, “[o]ur scope of review... is of the broadest possible nature.” **Id.** Accordingly, we have the “responsibility to ensure that the record represents a comprehensive inquiry and that the hearing judge has applied the appropriate legal principles to that record.” **Id.**

“[I]ssues pertaining to dependent children are controlled by the Juvenile Act[, 42 Pa.C.S.A. §§ 6301-6375,] which was amended in 1998 to conform to the federal Adoption and Safe Families Act (“ASFA”)[ of 1997<sup>11</sup>].” **In re A.B.**, 19 A.3d 1084, 1088 (Pa. Super. 2011), citing **In re N.C.**, 909 A.2d 818, 823 (Pa. Super. 2006).

[The] ASFA was enacted to combat the problem of foster care drift, where children... are shuttled from one foster home to another, waiting for their parents to demonstrate their ability to care for the children. This drift was the unfortunate byproduct of the

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<sup>11</sup> Adoption and Safe Families Act of 1997, Pub. L. No. 105-89, 111 Stat. 2115.

system's focus on reuniting children with their biological parents, even in situations where it was clear that the parents would be unable to parent in any reasonable period of time. Following [the] ASFA, Pennsylvania adopted a dual focus of reunification and adoption, with the goal of finding permanency for children in less than two years, absent compelling reasons.

***In re T.S.M.***, 71 A.3d 251, 269 (Pa. 2013) (citations omitted).

Initially, Mother claims that the trial court erred by failing to comply with Section 6351(f) of the Juvenile Act when it changed S.K.P., T.M.P., and E.J.P.'s placement goals from planned permanent living arrangement/long-term foster care to SPLC. ***Id.*** at 18-20. Specifically, Mother argues as follows.

Following the November 22, 2013[] hearing, the [trial c]ourt made no determinations on any of the matters set forth in [S]ection 6351(f). Most significantly, the [trial c]ourt made no specific findings as to "the continuing necessity for an appropriateness of the placement," no specific findings as to the "appropriateness and feasibility of the current placement goal for the children," no specific findings as to "the extent of progress made toward alleviating the circumstances which necessitated the original placement," and no specific findings as to the "appropriateness and feasibility of the current placement goal for the children[.]" While the trial court mentioned these statutory factors later in its Pa.R.A.P. 1925[(a)] opinion, it did so in reference only to determinations that had been made in past proceedings. Clearly, the trial court believed that it did not have to consider the factors enumerated in [S]ection 6351(f) when deciding whether to award permanent legal custody to [F]oster [M]other.

**Id.** at 18-19. Mother requests that we vacate the trial court's orders and remand the matter so that the trial court may appropriately consider the Section 6351(f) factors. **Id.** at 19. For the following reasons, we agree.<sup>12</sup>

Section 6351 of the Juvenile Act outlines the procedures that a trial court must follow when both finding a child to be dependent and maintaining a child's dependent status. Specifically, Section 6351 states, in pertinent part, as follows.

**§ 6351. Disposition of dependent child.**

...

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

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<sup>12</sup> Both CYS and the GAL argue that Mother has waived her first issue by failing to include it within her Rule 1925(b) statement. GAL's Brief at 15; CYS's Brief at 14. Within her Rule 1925(b) statement, Mother argues that the trial court "erred in transferring permanent legal custody of [S.K.P., T.M.P., and E.J.P.] to [Foster Mother]" Mother's Rule 1925(b) statements, 12/20/13, *citing* 42 Pa.C.S.A. § 6351. Within her appellate brief, Mother expanded upon this error, asserting that the trial court failed to consider the Section 6351(f) factors when rendering its decision. Mother's Brief at 18-20. The trial court addressed Mother's alleged error within its Rule 1925(a) opinion, concluding it was not required to address the Section 6351(f) factors when ordering SPLC because its prior analyses of these factors were incorporated by reference into the August 16 and November 22, 2013 hearings records. Trial Court Opinion, 1/14/14, at 5. As Mother's Rule 1925(b) statement fairly suggests her briefed issue, as evidenced by the trial court's Rule 1925(a) opinion, we decline to find waiver. **See *Krebs v. United Ref. Co. of Pa.*, 893 A.2d 776, 797 (Pa. Super. 2006)** (stating that any issue not set forth in or suggested by an appellate brief's statement of questions involved and concise statement is deemed waived).

(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.

(7) If the child has been placed outside the Commonwealth, whether the placement continues to be best suited to the safety, protection and physical, mental and moral welfare of the child.

(8) The services needed to assist a child who is 16 years of age or older to make the transition to independent living.

(8.1) Whether the child continues to meet the definition of "child" and has requested that the court continue jurisdiction pursuant to [S]ection 6302 if the child is between 18 and 21 years of age.

(8.2) That a transition plan has been presented in accordance with [S]ection 475 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 675(5)(h)).

(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.

For children placed in foster care on or before November 19, 1997, the county agency shall file or join a petition for termination of parental rights under this subsection in accordance with [S]ection 103(c)(2) of the [ASFA].

(10) If a sibling of a child has been removed from his home and is in a different placement setting than the child, whether reasonable efforts have been made to place the child and the sibling of the child together or whether such joint placement is contrary to the safety or well-being of the child or sibling.

(11) If the child has a sibling, whether visitation of the child with that sibling is occurring no less than twice a month, unless a finding is made that visitation is contrary to the safety or well-being of the child or sibling.

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42 Pa.C.S.A. § 6351(f) (emphasis added). We have routinely held that “the trial court must consider” these factors “**at each review hearing** concerning a child who has been adjudicated dependent and removed from the parental home.” *K.J., supra* (emphasis added).

SPLC “is an arrangement where a juvenile court discontinues court intervention as well as supervision by a county agency, and awards custody of a dependent child, on a permanent basis, to a custodian.” *In re S.H.*, 71 A.3d 973, 978 (Pa. Super. 2013) (citation omitted), *appeal denied*, 80 A.3d 778 (Pa. 2013). The child’s custodian typically receives a subsidy from the local county children and youth agency. *Id.* Notably, when a trial court grants SPLC, parental rights are not terminated. *Id.*

“A trial court may consider [SPLC], upon the filing of a petition by a county children and youth agency that alleges the dependent child’s current placement is not safe, and the physical, mental, and moral welfare of the child would best be served if [SPLC] were granted.” *Id.* “Upon receipt of this petition, the court must conduct a hearing and make specific findings focusing on the best interests of the child.” *Id.* “At the hearing, the trial court must make numerous findings, most of which focus on the best interests of the dependent child.” *In re B.S.*, 861 A.2d 974, 977 (Pa. Super. 2004), *citing* 42 Pa.C.S.A. § 6351(f). “It is necessary for the trial court to make pertinent findings regarding **all** of the enumerated



subsections under [S]ection 6351(f) to ensure that the dependent child's best interests are considered." **Id.** at 978 (concluding that the trial court erred by not addressing fully the Section 6351(f) factors and remanding for such consideration); **accord In re R.C.**, 628 A.2d 893, 898-897 (Pa. Super. 1993). Additionally, before ordering SPLC, "the [trial] court must find that neither reunification nor adoption is best suited to the child's safety, protection and physical, mental and moral welfare." **S.H., supra; see also** 42 Pa.C.S.A. § 6351(f.1).

Herein, the trial court conducted a hearing to review S.K.P., T.M.P., and E.J.P.'s dependent status on August 16 and November 22, 2013. Following these hearings, the trial court merely entered orders declaring S.K.P., T.M.P., and E.J.P. to be no longer dependent and terminating the court's supervision over the boys. **See** Trial Court Termination of Supervision Orders, 11/25/13 and 12/10/13. The trial court did not enter orders changing S.K.P., T.M.P., and E.J.P.'s placement goals to SPLC; it merely referenced that such changes had occurred. **Id.** These orders contained no factual findings upon which the trial court based its decision. **See id.** Rather, these orders summarily stated that "[r]easonable efforts have been made by [CYS] to finalize th[ese children's] permanency plan[s]." **Id.** As such, prior to the filing of Mother's appeal, the trial court entered an order facially addressing only one of the Section 6351(f) factors. **Id.; see also** 42 Pa.C.S.A. § 6351(f)(5.1).

Following Mother's appeal, the trial court filed a Rule 1925(a) opinion that also neglected to address the Section 6351(f) factors. Likewise, the trial court declined to set forth findings of fact upon which it based its goal change decisions. Rather, the trial court addressed S.K.P., T.M.P., and E.J.P.'s best interests, within two paragraphs, and asserted that it need only consider the best interest of the children at this phase of the dependency proceedings. Trial Court Opinion, 1/14/14, at 4, *citing B.S., supra*. Yet, the trial court did cite, by name, the Section 6351(f) factors within its Rule 1925(a) opinion and stated that the trial court "previously determined, in [o]rders which were incorporated into the record of the hearing in question," that these factors supported the grant of SPLC to Foster Mother. Trial Court Opinion, 1/14/14, at 5.

While we agree with the trial court that the children's best interests are of the utmost importance during a hearing where SPLC is requested, the trial court may not enter such an order granting SPLC and ending the children's dependency without complying with Section 6351. **See B.S., supra; R.C., supra; but see In re R.J.T.**, 9 A.3d 1179, 1190 (Pa. 2010) (concluding the trial court considered the Section 6351(f) factors when denying a goal change from reunification to adoption, despite its failure to itemize such findings, when it provided the reasoning behind its conclusions). Instantly, CYS requested the trial court to grant SPLC of S.K.P., T.M.P., and E.J.P. to Foster Mother. This request resulted in the

preservation of Mother's parental rights. **See S.H., supra.** Yet, upon the grant of SPLC, the trial court constrained Mother's visits with S.K.P., T.M.P., and E.J.P. to a supervised period of three hours a month. This timeframe is also the only time designated for S.K.P., T.M.P., and E.J.P. to visit with their sisters B.P. and F.P. Mother requests an opinion addressing the trial court's reasoning behind its decision to grant SPLC to Foster Mother in accordance with Section 6351(f). Mother's Brief at 19. We conclude she is entitled to such a ruling.

Additionally, we note that, within the remainder of her appeal, Mother argues that this limited visitation schedule is a *de facto* termination of her parental rights to S.K.P., T.M.P., and E.J.P. Mother's Brief at 20-22. As clear and convincing proof is required to terminate one's parental rights, Mother lodges constitutional challenges to the trial court's orders. **Id.** at 20, citing **Santosky v. Kramer**, 455 U.S. 745, 769 (1982). A ruling in accordance with Section 6351(f) will further assist in our resolution of these claims.<sup>13</sup>

Our Supreme Court recently observed, "over the past fifteen years, a substantial shift has occurred in our society's approach to dependent children, requiring vigilance to the need to expedite children's placement in permanent, safe, stable, and loving homes." **In re T.S.M.**, 71 A.3d 251,

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<sup>13</sup> Based upon our resolution of Mother's first issue, we decline to address her remaining issues at this time.

269 (Pa. 2013). Despite the need for the expeditious handling of dependency cases, we are unable to perform our appellate review until the trial court appropriately completes its duty. “Just as in custody matters where we are loathe to pass judgment on something as precious and intrinsically valuable as a child’s welfare without every possible piece of information that bears on this subject, we have a similar responsibility in a dispositional review hearing in dependency matters.” *R.C., supra* at 897.

Based upon the foregoing, we conclude that the trial court’s analysis as set forth in the underlying order and Rule 1925(a) opinion does not sufficiently address the Section 6351(f) factors. Accordingly, we remand this case to the trial court so that it may file a supplemental opinion to address and evaluate such factors. The trial court’s supplemental opinion shall be filed no later than **thirty days** from the date of this decision.

Case remanded for proceedings consistent with this memorandum.  
Panel jurisdiction retained.