

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

IN THE INTEREST OF: R.M.H., A MINOR

IN THE SUPERIOR COURT OF
PENNSYLVANIA

APPEAL OF: S.H., FATHER

No. 986 MDA 2012

Appeal from the Decree Entered May 4, 2012
In the Court of Common Pleas of Dauphin County
Orphans' Court at No(s): 61-ADOPT 2011/164 DP 2010

BEFORE: MUNDY, J., OTT, J., and STRASSBURGER, J.*

CONCURRING MEMORANDUM BY STRASSBURGER, J.

Filed: February 8, 2013

I join the Majority Memorandum except with regard to its discussion addressing Father's claim that "the trial court abused its discretion in granting the Agency's petition to change the permanency goal for R.M.H. to adoption." Majority Memorandum at 18. I would not address the merits of Father's claim. Because we have already concluded that the trial court properly terminated Father's parental rights, I believe that Father's challenge to changing R.M.H.'s goal from reunification to adoption is moot. This is particularly so in light of the fact that the statute "does not require that a goal change precede the filing of a termination petition." *In re Adoption of*

* Retired Senior Judge assigned to the Superior Court.

S.E.G., 901 A.2d 1017, 1029 (Pa. 2006). **See also In re H.S.W.C.-B**, 836 A.2d 908, 911 (Pa. 2003) (holding that orders granting or denying goal changes, as well as orders terminating or preserving parental rights, are final and appealable when entered and remain in effect until overturned on appeal, or ***rendered moot by a subsequent order***).

Accordingly, I concur.