



Grandparents' Custody Rights

Pennsylvania Grandparents' Partial Custody and Visitation

At Williams Family Law, P.C., we are well versed in the custody and visitation rights of grandparents in Pennsylvania. It is not widely known that grandparents can seek custody (physical or legal) of their minor grandchildren. Such rights come into play when the grandparents' relationship with the child began with the consent of one of the child's parents or pursuant to a court order; when they assume or are willing to assume responsibility for the child; and when one of the following three conditions are met:

- the child has been determined to be a dependent child;
- the child is substantially at risk due to parental abuse, neglect, drug or alcohol abuse or incapacity; or
- the child has resided with the grandparent for at least 12 consecutive months, excluding brief temporary absences, and is removed from the home by the parents. However, the custody action by the grandparents must be filed within six months of the child's removal from the home.

Grandparents can also seek partial physical custody and/or supervised physical custody in the following situations:

- the parent of the child is deceased;
- the parents of the child have been separated for at least six months or have filed for divorce and continue to pursue the divorce action; or
- the child has resided with the grandparents for at least 12 consecutive months, excluding brief temporary absences, and is removed from the home by the parents. However, the custody action by the grandparents must be filed within six months of the child's removal from the home.

Under Pennsylvania law, grandparents may also seek custody rights of their minor grandchildren if they were acting in the role of the parents (in loco parentis) by providing them with financial, educational and emotional support. It is important to note that there is no right for a grandparent to have partial physical or legal custody or visitation if the parents are residing together in an intact marriage unless the above conditions are met.

When a parent files for divorce or passes away, grandparents and step-grandparents are often prevented from seeing their grandchildren. The Pennsylvania family courts recognize the standing of grandparents to seek visitation, partial physical custody or primary physical custody of their minor grandchild or grandchildren in limited situations. In all custody-related cases, the grandparents must prove that the requested custody would be in the best interests of the grandchildren and would not interfere with the relationship between the parent and the minor children. In determining these cases, the court considers the amount and nature of the grandparents' previous contact with their grandchildren and the impact on the grandchildren of no longer having grandparents involved in the child's life.

The experienced family law attorneys at Williams Family Law understand the importance of grandparents' custody rights. We are available to help grandparents who are seeking visitation with their grandchildren, as well as grandparents who wish to establish formal legal or physical custody of their grandchildren.

Our Value: Successfully Defending Grandparents' Custody Rights in Bucks County

At Williams Family Law, we understand the sensitive nature of custody cases and the importance of the role of a grandparent in the lives of their grandchildren. Our family law attorneys have extensive experience with helping grandparents in matters involving child custody and visitation in Bucks County Family Court. Our ultimate goal is to preserve the best interests of the children. We pride ourselves on our reputation as leaders in the legal profession and attribute much of that success to the wealth of local knowledge we offer to our clients.

Contact Us Regarding Grandparents' Custody Rights in Bucks County

If you are a grandparent seeking primary custody, partial custody, visitation or adoption rights or if you are a parent who has been sued by your minor children's grandparents for primary physical custody, partial custody or visitation, Williams Family Law is here to help you. To discuss your concerns regarding grandparents' custody

rights with an experienced family law attorney, please contact our office.

News

Salzer Presents at Bucks County Bar Association Annual Bench Bar Conference
September 24, 2018

Shauna Quigley Joins Williams Family Law
August 8, 2018

Williams Family Law Attorneys Named 2018 Super Lawyers
June 4, 2018

Smith, Salzer Serve as Faculty for 2018 Family Law Institute

April 24, 2018 Smith, Salzer Present at PA Bar Family Law Section Winter Meeting

January 29, 2018 Williams Family Law Partner Co-Authors Book on Divorce

August 17, 2017 Jeffrey M. Williams Organizes AAML PA Spring Retreat

April 17, 2017 Williams Family Law Welcomes Attorney Melanie J. Wender

July 18, 2016 Divorce Attorney Jeffrey M. Williams Named Secretary American Academy of Matrimonial Lawyers

July 18, 2013 Bucks County Family Law Firm Williams Family Law Ranked as U.S. News & World Report Best Lawyers 2013 'Best Law Firm'

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Attorneys

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Frequently Asked Questions

- When can a grandparent seek partial physical or supervised custody of a grandchild?
- I helped to raise my stepchild and now my spouse and I are divorcing. Do I have any custodial rights to my non-biological child?
- I just filed for divorce. Can I move out with my kids immediately?
- My spouse will not consent to a divorce simply to avoid paying alimony. Can the court grant me a divorce without mutual consent?