

12.01.12

Weber 
Gallagher

Carolyn R. Mirable Case Note Published in December Issue of Pennsylvania Family Lawyer

V.B. and C.B. v. J.E.B.

In this case the Superior Court held the trial court failed to apply the statutory presumption in favor of granting custody to biological parents over third parties despite the claim the biological parent was involved in a polyamorous relationship (having a relationship with more than one person at the same time). The court stressed father's proclivity towards strange sexual relationships was not a factor that overcame the heavy burden by a third party since there was no other supporting evidence the children were harmed in any way by his relationships.