

**IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT**

IN THE INTEREST OF: Z.P., A MINOR	: No. 264 EAL 2026
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	: .
PETITION OF: Z.P., FATHER	: Petition for Allowance of Appeal
	: from the Unpublished
	: Memorandum and Order of the
	: Superior Court at No. 505 EDA
	: 2026 entered on June 30, 2026,
	: affirming the Order of the
	: Philadelphia County Court of
	: Common Pleas at No. CP-51-DP-
	: 0000195-2025 entered on
	: February 6, 2026

ORDER

PER CURIAM

AND NOW, this 29th day of September, 2026, the Petition for Allowance of Appeal is **GRANTED, LIMITED** to the following issues as phrased by Father:

- a. Whether the Superior Court's reliance on 23 Pa.C.S. § 6381(d) [was] misapplied [sic] under the circumstances regarding the facts at hand.
- b. Whether the Superior Court's analysis in the matter had constituted a violation of due process in unlawfully shifting the burden of proof.

The order of the Superior Court is **VACATED**, and the case is **REVERSED**. See *In the Interest of L.Z.*, 111 A.3d 1164, 1185 (Pa. 2015) (explaining the Section 6381(d) presumption may be rebutted by “present[ing] *evidence* demonstrating that they did not inflict abuse, potentially by testifying that they gave responsibility for the child to another person about whom they had no reason to fear *or* perhaps that the injuries were accidental rather than abusive[]” (emphasis added)); *In the Interest of N.B.-A.*, 224 A.3d 661, 675 (Pa. 2020) (“[T]he Section 6381(d) presumption is not applicable where there is

no evidence that the parent or other person responsible for the welfare of the child knew or should have known of the abuse or the risk of abuse and disregarded it.”). Allocatur is **DENIED** as to Father’s remaining issue.