

STATE: PENNSYLVANIA



At a glance:

Parentage: Poor

Surrogacy: Poor

Donor Conception/IVF: Fair

Marriage: Fair

Overall Grade: C

Ranking: 30

Parentage

Mother-Father Language: Pennsylvania parentage law maintains language that refers to mothers and fathers, recognizing the biological reality that every child naturally has a mother and a father.

Intent-based parentage: Pennsylvania does not have a statute allowing intent-based parentage, but in 2025, the state Supreme Court created a category of intent-based parentage in *Glover v. Junior*, granting parenting rights to a mother's former same-sex partner on the basis of the individual's intent to parent the child, despite the lack of genetic relationship, marriage, or parenting agreement.^[1]

Polyparenting: Pennsylvania does not have statutes or case law redefining the family to allow more than two parents. A third-party who stands in loco parentis to a child may file for legal or physical custody.^[2]

Surrogacy:

Surrogacy: Pennsylvania does not currently have any statutes addressing surrogacy. An unpublished Supreme Court case upheld a commercial gestational surrogacy contract,^[3] and pre-birth parentage orders are generally granted, but it varies by county and judge.^[4]

Donor Conception:

Donor-Conception: Pennsylvania does not have any laws or case law addressing donor anonymity, donation frequency, or payments to donors—meaning that Pennsylvania allows the industry to operate without any state regulations limiting or banning the intentional selling of parental rights through gamete donation.

Redefinition of infertility and right to IVF: Pennsylvania does not have laws or case law that redefine infertility to include “social infertility” or establish a “right” to IVF.

Marriage:

Natural Marriage: Pennsylvania has statutory language recognizing natural marriage (marriage between one man and one woman).^[5] However, there is no constitutional language recognizing natural marriage.

Divorce: Pennsylvania allows no-fault divorce, but still recognizes fault-based grounds.^[6] There is no mandatory six-month waiting period (the wait time is 90 days).^[7] The state does not require parental education on the impact of divorce on children, but it may be required in some counties.^[8]

^[1] <https://law.justia.com/cases/pennsylvania/supreme-court/2025/9-eap-2024.html>

^[2] <https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.053.024.000..HTM>

^[3] <https://caselaw.findlaw.com/court/pa-superior-court/1117445.html>

^[4] <https://creativefamilyconnections.com/us-surrogacy-law-map/pennsylvania/>

^[5] <https://law.justia.com/codes/pennsylvania/title-23/chapter-11/section-1102/>

^[6] <https://www.palegis.us/statutes/consolidated/view-statute?>

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^[7] <https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.033.001.000..HTM>

^[8] <https://www.nccpa.org/civil/co-parenting-education>
and <https://www.lccpa.org/forms/family/general/COPERegistration.pdf>

