2026 PA Super 255

IN THE INTEREST OF: A.M., A MINOR	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
APPEAL OF: A.M., A MINOR	:	
	:	No. 1407 WDA 2025

Appeal from the Order Entered September 25, 2025
In the Court of Common Pleas of Somerset County Criminal Division at No(s): CP-56-JV-0000015-2022

BEFORE: LAZARUS, P.J., PANELLA, P.J.E., OLSON, J., STABILE, J., DUBOW, J., MURRAY, J., McLAUGHLIN, J., KING, J., and LANE, J.

OPINION BY OLSON, J.: **FILED: November 18, 2026**

Appellant, A.M., appeals from the order entered on September 25, 2025. We vacate the order, vacate Appellant's order of disposition, and discharge Appellant.

This Court previously summarized the facts and procedural posture underlying the Juvenile Court's September 5, 2024 order of disposition, following Appellant's delinquency adjudication for 28 acts constituting violations of the Game and Wildlife Code.[1, 2]

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[1] Specifically, the Juvenile Court adjudicated Appellant delinquent for the following acts: 15 counts of unlawful killing or taking of big game (34 Pa.C.S.A. § 2321(a)(1)); eight counts of unlawful use of lights while hunting (34 Pa.C.S.A. § 2310(a)(2)); and, five counts of unlawful taking or possession of game or wildlife (34 Pa.C.S.A. § 2307(a)).

[2] The Commonwealth Court has "exclusive jurisdiction of appeals from final orders of the courts of common pleas" in certain cases, including "[a]ll criminal actions or proceedings for the violation of any . . . [r]egulatory statute

(Footnote Continued Next Page)

> On March 10, 2022, a written allegation was submitted against Appellant, alleging that Appellant committed numerous delinquent acts in violation of the Game and Wildlife Code. ***See*** Written Allegation, 3/10/22, at 1-9. Counsel was appointed to represent Appellant and, on May 25, 2022, the Somerset County Juvenile Probation Department ("Probation Department") filed a delinquency petition against Appellant, which essentially repeated the

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administered by any Commonwealth agency subject to Subchapter A of Chapter 5 of Title 2 (relating to practice and procedure of Commonwealth agencies)." 42 Pa.C.S.A. § 762(a)(2)(ii). Thus, as we have held, "[t]he Commonwealth Court [] is conferred with jurisdiction over appeals from criminal prosecutions brought pursuant to the Game and Wildlife Code." ***Commonwealth v. Gosselin***, 861 A.2d 996, 999 n.2 (Pa. Super. 2004).

Although the case at bar concerns violations of the Game and Wildlife Code, the appeal does not fall under the Commonwealth Court's jurisdiction, as the case proceeded under the Juvenile Act – and was not a "criminal action or proceeding." ***See***, ***e.g.***, 42 Pa.C.S.A. § 6322(a) (differentiating a proceeding under the Juvenile Act from a "criminal proceeding"); ***In re S.A.S.***, 839 A.2d 1106, 1109 (Pa. Super. 2003) ("juvenile proceedings are not criminal proceedings"); ***see also In re R.A.***, 761 A.2d 1220, 1224 (Pa. Super. 2000) ("[u]nder the Juvenile Act, juveniles are not charged with crimes; they are charged with committing delinquent acts. They do not have a trial; they have an adjudicatory hearing. If the charges are substantiated, they are not convicted; they are adjudicated delinquent. Indeed, the Juvenile Act expressly provides an adjudication under its provisions is not a conviction of crime. 42 Pa.C.S.A. § 6354(a). These are not insignificant differences or the transposing of synonyms. The entire juvenile system is different, with different purposes and different rules") (quotation marks, paragraphing, and some citations omitted).

Further, and regardless, neither party has challenged our appellate jurisdiction. Thus, we have jurisdiction to consider the merits of this appeal. ***See*** Pa.R.A.P. 741(a) ("[t]he failure of an appellee to file an objection to the jurisdiction of an appellate court on or prior to the last day under these rules for the filing of the record shall, unless the appellate court shall otherwise order, operate to perfect the appellate jurisdiction of such appellate court, notwithstanding any provision of law vesting jurisdiction of such appeal in another appellate court"); ***see also Gosselin***, 861 A.2d at 999 n.2.

acts described in the written allegation. ***See*** Delinquency Petition, 5/25/22, at 1-6.

An adjudicatory hearing on the matter was originally scheduled for June 9, 2022. ***See*** Juvenile Court Order, 6/15/22, at 1. That day, however, the Juvenile Court issued an order continuing the hearing generally, as it concluded that "extensive discovery will be necessary prior to the [adjudicatory] hearing." ***See id.*** The Juvenile Court's order further declared that Appellant expressly "waived any specific time requirements for the scheduling and conducting of [the adjudicatory] hearing." ***See id.***

Following the June 9, 2022 order, the Juvenile Court scheduled an adjudicatory hearing for January 5, 2023. ***See*** Summons, 12/22/22, at 1. This hearing was, however, continued, as was the later-scheduled hearing for November 30, 2023. ***See*** Juvenile Court Order, 1/5/23, at 1-2; Juvenile Court Order, 11/30/23, at 1-2. The relevant orders provide no explanation for the continuances.

On July 10, 2024, the Probation Department requested that the Juvenile Court schedule an adjudicatory hearing for August 27, 2024 and, on July 12, 2024, the Juvenile Court entered an order, scheduling the adjudicatory hearing for the requested date. ***See*** Juvenile Court Order, 7/15/24, at 1.

At the beginning of the August 27, 2024 hearing, Appellant moved to dismiss the petition, based upon an alleged violation of his Sixth Amendment right to a speedy trial.[3] ***See*** N.T. Adjudicatory Hearing, 8/27/24, at 4. Appellant argued:

> We would submit that [Appellant] indicated at least by January of 2023 that he was asking for a contested hearing, a contested finding of fact in this matter. We are not sure of any reason for delay in the trial from that time period. [Appellant] is asserting the right both by asking for a finding of fact and by this motion today. And as far as prejudice to [Appellant], we would respectfully submit

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[3] Appellant was neither in custody nor subject to monitoring prior to the adjudicatory hearing.

> that [Appellant's birthdate is of record and that Appellant] turns 21 [years old] in September of this year[. A]nd we submit to the court that in the event that he is adjudicated delinquent and there is a disposition on some or all of these offenses that [Appellant] would have less than a month before, by virtue of turning 21, any fines associated with these offenses would be presumably become a probation judgment against him, and any court costs for that matter; and if the primary purpose of juvenile delinquency is rehabilitation, he would not have been able to avail of any rehabilitation from being on probation any significant length of time prior to presumably facing relatively significant judgments.

Id. at 4-5.

During oral argument on Appellant's motion, the Commonwealth provided no explanation for its delay in scheduling the adjudicatory hearing. ***Id.*** at 6-7. Nevertheless, the Juvenile Court denied Appellant's motion. ***See id.*** at 9.

. . .

[Following the adjudicatory hearing,] the Juvenile Court concluded that Appellant committed the delinquent acts alleged in the petition and, on September 5, 2024, the Juvenile Court adjudicated Appellant delinquent. ***See*** N.T. Hearing, 9/5/24, at 19. In its order of disposition, the Juvenile Court ordered that Appellant be placed on probation until the time he turned 21 years old and pay $30,000.00 in fines and restitution. ***Id.*** at 19-21. Further, the Juvenile Court ordered that Appellant's hunting and trapping privileges be suspended for 50 years. ***Id.*** at 21.

In the Interest of A.M., 343 A.3d 341, 344-347 (Pa. Super. 2025). Within the Juvenile Court's "conditions of probation," the Juvenile Court ordered that Appellant was required, among other things, to perform the following: "schedule a Drug and Alcohol Evaluation and successfully complete any recommended counseling or treatment services;" "obtain a mental health

assessment and participate in any recommended services as identified by the service provider;" "report regularly to [Appellant's] probation officer as instructed [and] abide by all written or verbal instructions given by [his] probation officer;" and, "make regular monthly payments towards the sum of $30,150.25 until the entire amount is paid." Conditions of Probation, 9/5/24, at 1-3.

Appellant then turned 21 years old on September 15, 2024 – ten days after the order of disposition was entered. ***See*** Juvenile Court Opinion, 9/25/25, at 2.

In his original appeal to this Court, Appellant claimed that the Juvenile Court erred when it denied his motion to dismiss, as the Commonwealth violated his Sixth Amendment right to a speedy trial or adjudicative hearing. According to Appellant, the Commonwealth's "lengthy, unjustified delay" between the filing of the written allegation against Appellant (on March 10, 2022) and the adjudicatory hearing (concluding on September 5, 2024) caused Appellant to "suffer prejudice because he [turned] 21 years old less than one month after the [adjudicatory] hearing – thus thwarting the rehabilitative purpose behind the Juvenile Act and the delinquency proceedings." ***See id.*** at 350. The Juvenile Court originally rejected this claim because, it declared, "Pennsylvania jurisprudence does not hold that [the loss of rehabilitative benefits] is the type of prejudice that makes proceedings fundamentally unfair to a juvenile" for speedy trial purposes. ***See id.*** at 353.

In a published opinion, this Court held that the Juvenile Court erred as a matter of law when denied Appellant's speedy trial claim. We concluded that, in the juvenile system, the "loss of rehabilitative benefits" is indeed an "interest which the speedy trial right was designed to protect." ***See id.*** at 353 (quotation marks, citations, and corrections omitted), *citing* ***Barker v. Wingo***, 407 U.S. 514, 532 (1972). Therefore, this Court vacated the Juvenile Court's order which denied Appellant's motion to dismiss and remanded the case to the Juvenile Court, so that it could, "in the first instance, consider Appellant's claim of prejudice and weigh the relevant factors to assess Appellant's speedy trial claim."[4] ***Interest of A.M.***, 343 A.3d at 353-354.

On remand, the Juvenile Court again denied Appellant's speedy trial motion. Within its opinion, the Juvenile Court noted that it weighed the following factors in evaluating Appellant's speedy trial claim: "1) the length of the delay; 2) the reason for the delay; 3) the juvenile's assertion of his right; and, 4) the prejudice to the juvenile." Juvenile Court Opinion, 9/25/25, at 3; ***see also Interest of A.M.***, 343 A.3d at 350; ***Commonwealth v. Dallenbach***, 729 A.2d 1218, 1222 (Pa. Super. 1999); ***Barker***, 407 U.S. at 514.

First, the Juvenile Court observed, "[t]he delay in this case was roughly 29 months from the time of the written allegation on March 10, 2022 to the

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[4] We note that, in our prior opinion, we left Appellant's September 5, 2024 order of disposition untouched. ***See Interest of A.M.***, 343 A.3d at 354.

first day of the contested finding of fact hearing on August 27, 2024." Juvenile Court Opinion, 9/25/25, at 3 (some capitalization omitted). The Juvenile Court declared that this factor "weighs in favor of [Appellant]." ***Id.***

Next, regarding the reason for the delay, the Juvenile Court declared:

> In a hearing on June 9, 2022, the Commonwealth issued an explanation of the complexity of discovery as a reason for the delay. The case involved four co-defendants facing various alleged criminal or delinquent conduct stemming from multiple incidents occurring over the span of roughly three weeks. Further, [the lower court] has had a vacancy on its bench since November 1, 2023, thus leaving only two sitting judges to conduct all of the proceedings on its busy docket. These two considerations in the aggregate reasonably explain the 29 month delay.

Id. at 3-4. According to the Juvenile Court, the above-stated reasons for the delay meant that this factor "weighs in favor of the Commonwealth." ***Id.*** at 4.

Third, the Juvenile Court noted that Appellant asserted his speedy trial right in a prompt manner. Juvenile Court Opinion, 9/25/25, at 3-4.

Finally, in considering the prejudice factor, the Juvenile Court declared:

> Rehabilitation can be achieved through various prescribed methods including but not limited to the "ordering of payment by the child of reasonable amounts of money as fines, costs, fees or restitution." 42 Pa.C.S.A. § 6352(a)(5). While [Appellant's] placement on probation until the age of 21 has limited rehabilitative impact given he was 10 days away from turning 21, [the Juvenile Court] also ordered the payment of $30,000 in fines and restitution and a 50 year suspension on [Appellant's] hunting and trapping privileges. Both of these sanctions serve the rehabilitative and accountability functions of the juvenile justice system.

> Therefore, . . . [the Juvenile] Court finds that there was no prejudice experienced by [Appellant], thus making the prejudice factor weigh in favor of the Commonwealth.

Id. at 5-6.

The Juvenile Court thus concluded that Appellant's right to a speedy trial was not violated during the underlying proceedings and again denied Appellant's motion to dismiss. ***Id.***

Appellant filed a timely notice of appeal. He raises the following related claims:

> 1. Whether the Juvenile Court abused its discretion and erred, as a matter of law, by denying [Appellant's] motion to dismiss for violation of his Sixth Amendment right to a speedy trial, following issuance of [the Superior Court's] opinion and order . . . , which vacated the Juvenile Court's order denying [Appellant's] speedy trial claim, and remanded the case to the Juvenile Court for consideration of [Appellant's] claim of prejudice and to weigh the relevant factors to assess [Appellant's] speedy trial claim?
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> 2. Whether, in the context of the Sixth Amendment right to a speedy trial, a 29-month delay in Juvenile Court proceedings results in prejudice to [Appellant], where such a lengthy delay effectively precludes [Appellant] from receiving rehabilitative benefits under the Juvenile Act?

Appellant's Brief at 5.

Appellant claims that the Juvenile Court erred when it denied his motion to dismiss, based upon an alleged violation of his Sixth Amendment right to a speedy trial or adjudicative hearing.[5] ***See*** Appellant's Brief at 29.

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[5] We will consider Appellant's two numbered claims on appeal together.

"In evaluating speedy trial issues, our standard of review is whether the trial court abused its discretion, and our scope of review is limited to the trial court's findings and the evidence on the record, viewed in the light most favorable to the prevailing party." ***Commonwealth v. Wholaver***, 989 A.2d 883, 899 (Pa. 2010). "Discretion is abused when the course pursued represents not merely an error of judgment, but where the judgment is manifestly unreasonable or where the law is not applied or where the record shows that the action is a result of partiality, prejudice, bias or ill will." ***Commonwealth v. Jeter***, 296 A.3d 1187, 1192 (Pa. Super. 2023) (quotation marks and citations omitted). "A [determination] by an appellate court that it would have reached a different result than the trial court does not constitute a finding of an abuse of discretion. Where the record adequately supports the trial court's reasons and factual [assessments], the court did not abuse its discretion." ***Id.*** (quotation marks and citations omitted). Importantly, however, "an error of law constitutes an abuse of discretion." ***Commonwealth v. Akrie***, 159 A.3d 982, 988 n.6 (Pa. Super. 2017); ***see also Temple Estate of Temple v. Providence Care Ctr., LLC***, 233 A.3d 750, 764 (Pa. 2020) ("[i]n addition to legal error, an abuse of discretion occurs where the judgment exercised is manifestly unreasonable, or the result of partiality, prejudice, bias or ill-will") (quotation marks and citations omitted).

As Pennsylvania Rule of Juvenile Court Procedure 404(B) provides, where "the juvenile is not detained, the adjudicatory hearing shall be held within a reasonable time." Pa.R.J.C.P. 404(B). Our prior cases have

recognized that the prompt trial rule, contained in the Pennsylvania Rules of Criminal Procedure, does not apply to juvenile proceedings. ***See Commonwealth v. Dallenbach***, 729 A.2d 1218 (Pa. Super. 1999); ***see also*** Pa.R.Crim.P. 100 ("[u]nless otherwise specifically provided, [the Rules of Criminal Procedure] shall not apply to juvenile or domestic relations proceedings"); ***Commonwealth v. Sloan***, 907 A.2d 460, 468 (Pa. 2006) ("while Rule 600 generally protects a defendant's right to a speedy trial, there is no constitutional significance to the number of days or the procedure chosen by the [Pennsylvania Supreme] Court in enacting [Rule 600]"). Nevertheless, ***Dallenbach*** held that "the due process clause of the 14th Amendment makes applicable to juveniles a 6th Amendment speedy trial right in delinquency proceedings." ***Dallenbach***, 729 A.2d at 1222. Further, ***Dallenbach*** held that, in determining whether a juvenile has been deprived of this right, a court must employ the balancing test stated in ***Barker***, and must weigh the following four, related factors: 1) the length of the delay; 2) the reason for the delay; 3) the juvenile's assertion of his right; and, 4) the prejudice to the juvenile. ***Dallenbach***, 729 A.2d at 1222; ***see also Barker***, ***supra.***

Barker concerned an adult murder trial. In its opinion, the United States Supreme Court formulated a balancing test that courts must apply when determining whether a defendant's constitutional right to a speedy trial has been violated. As the ***Barker*** Court initially explained:

> A balancing test necessarily compels courts to approach speedy trial cases on an *ad hoc* basis. We can do little more than identify some of the factors which courts should assess

> in determining whether a particular defendant has been deprived of his right. Though some might express them in different ways, we identify four such factors: length of delay, the reason for the delay, the defendant's assertion of his right, and prejudice to the defendant.

Barker, 407 U.S. at 530.

Moreover, the ***Barker*** Court provided some guidance as to how a court should consider the four relevant factors:

> The length of the delay is to some extent a triggering mechanism. Until there is some delay which is presumptively prejudicial, there is no necessity for inquiry into the other factors that go into the balance. Nevertheless, because of the imprecision of the right to speedy trial, the length of delay that will provoke such an inquiry is necessarily dependent upon the peculiar circumstances of the case. To take but one example, the delay that can be tolerated for an ordinary street crime is considerably less than for a serious, complex conspiracy charge.
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> Closely related to length of delay is the reason the government assigns to justify the delay. Here, too, different weights should be assigned to different reasons. A deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government. A more neutral reason such as negligence or overcrowded courts should be weighted less heavily but nevertheless should be considered since the ultimate responsibility for such circumstances must rest with the government rather than with the defendant. Finally, a valid reason, such as a missing witness, should serve to justify appropriate delay.
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> . . . Whether and how a defendant asserts his right [to a speedy trial] is closely related to the other factors we have mentioned. The strength of [the defendant's] efforts will be affected by the length of the delay, to some extent by the reason for the delay, and most particularly by the personal prejudice, which is not always readily identifiable, that he experiences. The more serious the deprivation, the more likely a defendant is to complain. The defendant's assertion of his speedy trial right, then, is entitled to strong evidentiary

> weight in determining whether the defendant is being deprived of the right. We emphasize that failure to assert the right will make it difficult for a defendant to prove that he was denied a speedy trial.
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> A fourth factor is prejudice to the defendant. Prejudice, of course, should be assessed in the light of the interests of defendants which the speedy trial right was designed to protect. [The United States Supreme] Court has identified three such interests: (i) to prevent oppressive pretrial incarceration; (ii) to minimize anxiety and concern of the accused; and (iii) to limit the possibility that the defense will be impaired. Of these, the most serious is the last, because the inability of a defendant adequately to prepare his case skews the fairness of the entire system. If witnesses die or disappear during a delay, the prejudice is obvious. There is also prejudice if defense witnesses are unable to recall accurately events of the distant past. Loss of memory, however, is not always reflected in the record because what has been forgotten can rarely be shown.

Barker, 407 U.S. at 530-532 (footnotes omitted).

The ***Barker*** Court emphasized that "none of the four factors identified above [are] either a necessary or sufficient condition to the finding of a deprivation of the right of speedy trial. Rather, they are related factors and must be considered together with such other circumstances as may be relevant." ***Id.*** at 533.

On appeal, Appellant claims that the Juvenile Court abused its discretion in weighing the factors relevant to his speedy trial claim. We agree. Our analysis begins with applying the facts of this case to the four ***Barker*** factors. As explained above, these factors are: 1) the length of the delay; 2) the reason for the delay; 3) the juvenile's assertion of his right; and, 4) the

prejudice to the juvenile. ***Dallenbach***, 729 A.2d at 1222; ***see also Barker***, 407 U.S. at 514.

Here, the juvenile delinquency proceeding against Appellant commenced on March 22, 2022, when the written allegation was submitted against Appellant. ***See*** Pa.R.J.C.P. 200(1) ("[j]uvenile delinquency proceedings within a district shall be commenced by . . . submitting a written allegation pursuant to Rule 231"). Appellant's adjudicatory hearing did not occur until August 27, 2024. This constitutes a delay of 901 days (or, 29 months and 17 days) from the time the juvenile delinquency proceedings against Appellant commenced until the time of Appellant's adjudicatory hearing. In the language of ***Barker***, the lengthy delay in this case is "presumptively prejudicial," thus necessitating further "inquiry into the other factors that go into the balanc[ing test]." ***See Barker***, 407 U.S. at 530; ***c.f.*** Pa.R.Crim.P. 600(A)(2) (providing the general rule that trial in an adult criminal case must commence within 365 days from the date on which the criminal complaint is filed against the defendant).

We reach this conclusion as to the first speedy trial factor in view of the particular circumstances before us, the guidance offered in ***Barker***, and a prior decision of this Court. ***Barker*** characterized length-of-delay as a trigger mechanism, noting that "because of the imprecision of the right to speedy trial, the length of [a constitutionally intolerable] delay that will provoke [further] inquiry is necessarily dependent upon the peculiar circumstances of the case." ***Barker***, 407 U.S. at 530. In ***Dallenbach***, a **total** of 18 months

elapsed from the commencement of the delinquency proceedings until the adjudicatory hearing. ***See Dallenbach***, 729 A.2d at 1218-1219. The ***Dallenbach*** panel labeled the length of this delay "extraordinary" and reasoned:

> We are aware of no case where a due process right in a juvenile case was recognized or in which the juvenile in a delinquency proceeding received less consideration than an adult in a criminal case of similar circumstances. In a case where, without justification, a person charged with a crime as an adult, who through no fault of his own, is not brought to trial within 365 days (when not incarcerated), or 180 days (when incarcerated), . . . he is entitled to dismissal of the charges. Here, the unjustified delay was one and one-half [] years, more than 540 days.

Id. at 1225. Given our observation in ***Dellenbach*** and the extraordinary delay in proceeding to Appellant's adjudicatory hearing, an assessment of ***Barker***'s additional three factors must be undertaken here.

Regarding the "reason the government assigns to justify the delay," we note that, on June 9, 2022, the Juvenile Court continued, generally, the proceedings against Appellant because "extensive discovery will be necessary prior to the [adjudicatory] hearing." Juvenile Court Order, 6/15/22, at 1. Further, within its order, the Juvenile Court noted that Appellant "waived any specific time requirements for the scheduling and conducting of [the adjudicatory] hearing." ***See id.***

Nevertheless, from January 5, 2023 onward, the proceedings were continued without Appellant's express consent and for no articulated reason given by the Commonwealth. ***See*** N.T. Adjudicatory Hearing, 8/27/24, at 4

(Appellant argued: "[w]e would submit that [Appellant] indicated at least by January of 2023 that he was asking for a contested hearing, a contested finding of fact in this matter. We are not sure of any reason for delay in the trial from that time period"); ***see also*** N.T. Adjudicatory Hearing, 8/27/24, at 6-7 (the Commonwealth provided no explanation for the delay during argument on Appellant's speedy trial motion); Juvenile Court Order, 1/5/23, at 1-2 (providing no reason for the continuance); Juvenile Court Order, 11/30/23, at 1-2 (providing no reason for the continuance). This constitutes 600 days of essentially unexplained delay from January 5, 2023 until the adjudicatory hearing of August 27, 2024.

In its opinion, the Juvenile Court noted that discovery in Appellant's case was complicated by the fact that it "involved four co-defendants facing various alleged criminal or delinquent conduct stemming from multiple incidents occurring over the span of roughly three weeks," as well as the fact that the court "had a vacancy on its bench since November 1, 2023, thus leaving only two sitting judges to conduct all of the proceedings on its busy docket." Juvenile Court Opinion, 9/25/25, at 3-4. According to the Juvenile Court, the above-stated reasons for the delay meant that this factor "weighs in favor of the Commonwealth." ***Id.*** at 4.

The Juvenile Court's conclusion that the "reason for the delay" factor "weighs in favor of the Commonwealth" is, however, legally erroneous. As the United States Supreme Court explained:

> Closely related to length of delay is the reason the government assigns to justify the delay. Here, too, different weights should be assigned to different reasons. A deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government. A more neutral reason such as negligence or overcrowded courts should be weighted less heavily but nevertheless should be considered since the ultimate responsibility for such circumstances must rest with the government rather than with the defendant. Finally, a valid reason, such as a missing witness, should serve to justify appropriate delay.

Barker, 407 U.S. at 531.

The case at bar does not involve a "deliberate attempt to delay the trial in order to hamper the defense." ***See id.*** Rather, the Juvenile Court declared that the delay in this case occurred because: 1) discovery was complex, as "[t]he case involved four co-defendants facing various alleged criminal or delinquent conduct stemming from multiple incidents occurring over the span of roughly three weeks," and 2) the Juvenile Court's docket was overcrowded. Juvenile Court Opinion, 9/25/25, at 3-4. In the words of the ***Barker*** Court, these constitute "more neutral reason[s]" for the delay. ***Barker***, 407 U.S. at 531. Nevertheless, these "more neutral reason[s]" for the delay do not mean that this factor "weighs in favor of the Commonwealth," as the Juvenile Court held. To be sure, the ***Barker*** Court explained, "[a] more neutral reason such as negligence or overcrowded courts **should be weighted less heavily but nevertheless should be considered since the ultimate responsibility for such circumstances must rest with the government rather than with the defendant**." ***Id.*** at 531 (emphasis added). Thus, contrary to the Juvenile Court's conclusion, this factor weighs **against** the Commonwealth,

"since the ultimate responsibility for such circumstances must rest with the government rather than with the defendant." ***See id.***

Regarding the third factor, we agree with the Juvenile Court that Appellant asserted his right to a speedy trial in a timely fashion, by orally moving for the dismissal of the petition at the beginning of the adjudicatory hearing. ***See*** N.T. Adjudicatory Hearing, 8/27/24, at 4-5; ***see also*** Pa.R.J.C.P. 344(A) ("[a]ll motions and answers shall be made orally on the record or in writing"); Pa.R.J.C.P. 344 cmt. ("oral motions and answers are permitted because of the emphasis on prompt disposition in Juvenile Court"); Juvenile Court Opinion, 9/25/25, at 4 ("[the Juvenile Court] acknowledges that [Appellant] properly raised the issue of his speedy trial rights in a timely manner").

The fourth and final ***Barker*** factor concerns prejudice to the juvenile. As noted above, in this case, Appellant claimed that the Commonwealth's unjustified delay prejudiced him because he turned 21 years old shortly after the adjudicatory hearing and, thus, the delay caused him to lose substantial rehabilitative benefits from the juvenile system. ***See*** N.T. Adjudicatory Hearing, 8/27/24, at 4-5. The Juvenile Court denied Appellant's claim, concluding:

> While [Appellant's] placement on probation until the age of 21 has limited rehabilitative impact given he was 10 days away from turning 21, [the Juvenile Court] also ordered the payment of $30,000 in fines and restitution and a 50 year suspension on [Appellant's] hunting and trapping privileges.

> Both of these sanctions serve the rehabilitative and accountability functions of the juvenile justice system.

Juvenile Court Opinion, 9/25/25, at 5.

Thus, according to the Juvenile Court, "there was no prejudice experienced by [Appellant]." ***Id.*** at 5-6.

At the outset, the Juvenile Court's conclusion that the delay caused Appellant to suffer "no prejudice" is legally erroneous. As we explained in our earlier opinion:

> we have held that "the juvenile court system is markedly different from the criminal court system." ***In re J.B.***, 39 A.3d 421, 426 (Pa. Super. 2012). Importantly, "[t]he purpose of juvenile proceedings is to seek treatment, reformation and rehabilitation, and not to punish." ***Id.*** at 427; ***see also*** 42 Pa.C.S.A. § 6301(b)(2) (declaring that one of the purposes of the Juvenile Act is "to provide for children committing delinquent acts programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community"); ***In re Iafrate***, 594 A.2d 293, 295 (Pa. 1991) ("our juvenile justice system is primarily rehabilitative in nature").
>
> "The rehabilitative purpose of the Juvenile Act is attained through accountability and the development of personal qualities that will enable the juvenile offender to become a responsible and productive member of the community." ***In re R.D.R.***, 876 A.2d 1009, 1013 (Pa. Super. 2005) (quotation marks and citations omitted). This is achieved through various means, including "[p]lacing the child on probation under supervision of the probation officer of the court," "[c]ommitting the child to an institution, youth development center, camp, or other facility for delinquent children," and "[o]rdering payment by the child of reasonable amounts of money as fines, costs, fees or restitution." ***See*** 42 Pa.C.S.A. § 6352(a).

> However, the Juvenile Act only applies to individuals who are under the age of 21. ***See*** 42 Pa.C.S.A. § 6302. The Juvenile Court thus loses jurisdiction over the individual when they have "attained the age of twenty-one." Pa.R.J.C.P. 630 ("[w]hen the juvenile has attained the age of twenty-one, the court shall enter an order terminating court supervision of the juvenile"). Delay in holding the adjudicatory hearing can potentially have a negative impact upon the juvenile's rehabilitation, as it lessens the amount of time the juvenile is subject to the "programs of supervision, care and rehabilitation" ordered by the Juvenile Court – and potentially limits the type of treatment that is even available for the juvenile. ***See*** 42 Pa.C.S.A. § 6301(b)(2).
>
> Given the purposes of – and the time constraints inherent in – the juvenile system, we conclude that the ability to be rehabilitated is, for juveniles, an additional "interest[] . . . which the speedy trial right was designed to protect." ***See Barker***, 407 U.S. at 532. Therefore, we conclude that the loss of rehabilitative benefits constitutes a colorable basis of concern that a Juvenile Court must weigh in analyzing the "prejudice" prong of ***Barker's*** balancing test in the context of a delinquency proceeding.

Interest of A.M., 343 A.3d at 353.

Here, within the Juvenile Court's "conditions of probation," the Juvenile Court ordered that Appellant was required, among other things, to accomplish the following "special conditions" of probation: "schedule a Drug and Alcohol Evaluation and successfully complete any recommended counseling or treatment services" and "obtain a mental health assessment and participate in any recommended services as identified by the service provider." Conditions of Probation, 9/5/24, at 1-3.

By imposing these "special conditions" of probation, the Juvenile Court obviously believed that the individual circumstances of Appellant's case

necessitated the above requirements, so as to ensure "the protection of the public interest" as well as to benefit Appellant's "treatment, supervision, rehabilitation and welfare." ***See*** 42 Pa.C.S.A. § 6352(a). Yet, Appellant turned 21 years old a mere ten days after the order of disposition was entered. ***See*** Juvenile Court Opinion, 9/25/25, at 2. Further, there is no evidence – and neither the Commonwealth nor the Juvenile Court assert – that, in these ten days, Appellant was able to perform either above-listed special condition of his probation. Indeed, the Juvenile Court's "Termination of Court Supervision Order," expressly declares that Appellant "has not successfully completed the Special Conditions of Probation prior to his release from supervision." Termination of Court Supervision Order, 9/17/24, at 1.

Given that the Juvenile Court believed Appellant was in need of a drug and alcohol evaluation (as well as "successfully complet[ing] any recommended counseling or treatment services") and a mental health assessment (as well as "participat[ing] in any recommended services as identified by the service provider") – and given that the Commonwealth's delay in this case made achieving these conditions impossible – the Juvenile Court is legally incorrect to declare that Appellant suffered "no prejudice" as a result of the Commonwealth's delay. ***See*** Juvenile Court Opinion, 9/25/25, at 5-6. Appellant undoubtedly suffered prejudice when the Commonwealth's delay made it impossible for him to participate in the rehabilitative course the Juvenile Court expressly stated he needed.

Moreover, we reject the Juvenile Court's assertion that its imposition of a $30,000.00 fine and a 50-year suspension of Appellant's hunting and trapping privileges mitigated the prejudice Appellant suffered, given that: 1) these two components of Appellant's punishment were largely punitive, not rehabilitative, in nature; 2) all but ten days of the Juvenile Court's sanctions against Appellant were to be borne by Appellant outside of the juvenile system; and, 3) in its earlier-imposed "special conditions" of probation, the Juvenile Court expressly declared that Appellant was in need of a drug and alcohol evaluation (and potential treatment), as well as a mental health assessment (and potential treatment) and the Commonwealth's delay rendered these significant rehabilitative conditions impossible to achieve.

In the case at bar, Appellant was subjected to a delay of 901 days from the time the juvenile delinquency proceedings against him commenced until the time of his adjudicatory hearing. Of these 901 days, 600 days – **or over 19 months** – resulted from Commonwealth delay, either because of "the complexity of [the] discovery" in this case or the overcrowding of the Juvenile Court's docket. ***See*** Juvenile Court Opinion, 9/25/25, at 3-4; ***see also Barker***, 407 U.S. at 531 ("A deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government. A more neutral reason such as negligence or overcrowded courts should be weighted less heavily but nevertheless should be considered since the ultimate responsibility for such circumstances must rest with the government rather than with the defendant") (footnote omitted). Finally, Appellant undoubtedly

suffered prejudice as a result of the Commonwealth's delay, as the delay made it impossible for Appellant to participate in the rehabilitation course and meet the special conditions of probation imposed by the Juvenile Court.

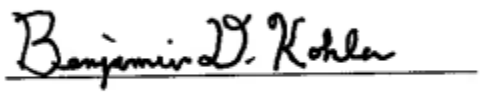
Balancing all factors in this case, we conclude that the Juvenile Court abused its discretion when it denied Appellant's speedy trial motion. Specifically, we conclude that the Commonwealth's extraordinary delay in bringing Appellant to trial and Appellant's resultant substantial loss of his rehabilitative benefits have caused a violation of Appellant's right to a speedy trial. Thus, we vacate the Juvenile Court's September 25, 2025 order, vacate Appellant's order of disposition, and order Appellant discharged.

Order vacated. Appellant's order of disposition vacated. Appellant discharged.

President Judge Lazarus, President Judge Emeritus Panella, and Judges Stabile, Dubow, Murray, McLaughlin and King join this Opinion.

Judge Lane files a Concurring Opinion which President Judge Emeritus Panella and Judge King join.

Judgment Entered.



Benjamin D. Kohler, Esq.
Prothonotary

DATE: 11/18/2026