

IN THE INTEREST OF: C.L., A MINOR	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
PETITION OF: C.L.	:	
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	:	
	:	
	:	No. 59 WDM 2026

Appeal from the Dispositional Order Entered May 19, 2026
 In the Court of Common Pleas of Allegheny County Juvenile Division at
 No(s): CP-02-JV-0000379-2026

BEFORE: PANELLA, P.J.E., KING, J., and FORD ELLIOTT, P.J.E.*

OPINION BY FORD ELLIOTT, P.J.E.: **FILED: AUGUST 28, 2026**

Pursuant to Pennsylvania Rule of Appellate Procedure 1612, C.L. seeks expedited review of an out-of-home placement that was ordered on May 19, 2026, in this juvenile delinquency matter.¹ We grant expedited review,

* Retired Senior Judge assigned to the Superior Court.

¹ We conclude that the May 19, 2026 order is a final order because, although it provided that "disposition is deferred with permission to place at an appropriate placement," Juvenile Court Order, 5/19/26, it directed out-of-home placement at Adelphoi Village Manor.

On May 27, 2026, C.L. was then placed at George Junior Republic, though no formal order reflecting that placement was entered as of the filing of C.L.'s instant petition.

On May 29, 2026, which was ten days after entry of the May 19, 2026 dispositional order, C.L. filed the instant counseled petition seeking our review. **See** Pa.R.A.P. 1612(a).

On June 2, 2026, this Court ordered that: (1) the juvenile court expressly state on the record its reasons for the May 19, 2026 dispositional order, **see** Pa.R.A.P. 1612(f); (2) the juvenile court send this Court the hearing
(Footnote Continued Next Page)

pursuant to ***In the Interest of N.E.M.***, 311 A.3d 1088 (Pa. 2024), and reverse and remand for further proceedings because the juvenile court's out-of-home placement was not the least restrictive option consistent with both C.L.'s individualized needs and the protection of the public, under 42 Pa.C.S. §§ 6301(b)(3)(i), 6352(c).

C.L. is a 13-year-old, who, following a colloquy at an adjudicatory hearing on May 19, 2026, admitted to, and was adjudicated, delinquent of one count of possession of a firearm by a minor, **see** 18 Pa.C.S. § 6110.1(a), in the Family Division of the Court of Common Pleas of Allegheny County. In exchange for C.L.'s admission, and pursuant to a negotiated agreement, the Commonwealth withdrew two additional charges: one count of firearms not to be carried without a license² and one count of receiving stolen property.³

transcript, **see** Pa.R.A.P. 1612(g); and (3) the Commonwealth file a response to the instant petition. The Commonwealth filed its response on June 8, 2026. The juvenile court forwarded the hearing transcript on June 24, 2026, and filed a signed statement on July 7, 2026.

This Court's review of the juvenile court docket revealed that a second dispositional hearing was held on June 9, 2026, and placement at George Junior Republic was ordered at that time, otherwise reiterating the conditions imposed in the May 19, 2026 order, and providing that C.L. will remain at the facility where he was transferred on May 27, 2026.

As C.L. timely appealed from the May 19, 2026 order, we conclude that he has properly preserved his claims as to his out-of-home placement. **See** Pa.R.A.P. 1612(a).

² **See** 18 Pa.C.S. § 6106(a)(1).

³ **See** 18 Pa.C.S. § 3925(a).

At the dispositional hearing, the court heard testimony from: (1) Shannon Gabos, C.L.'s probation officer; (2) J.W., C.L.'s mother; (3) E.L., C.L.'s father; and (4) Robert Jones, President of the Brothers and Sisters Emerging Program and a youth football coach who has an established relationship with C.L.'s family.

Gabos testified that C.L. was detained at Adelphoi Village Manor since April 17, 2026, and that there were no reported behavioral issues during his detention. **See** N.T. Hearing, 5/19/26, at 7. Gabos confirmed C.L.'s present adjudication is C.L.'s first time as the subject of a delinquency petition. **See id.** She further noted that C.L.'s pre-dispositional report reflected a moderate score on the Youth Level of Service risk assessment. **See id.** at 11. She explained that, prior to his detention, C.L. was in seventh grade at Westinghouse High School/Middle School and had adequate attendance but poor grades due to being easily distracted. **See id.** at 7-8. Regarding C.L.'s mental health, Gabos noted that C.L.'s school was in the process of arranging therapy for him, but that arrangement never materialized because of the present matter. **See id.** at 9. Gabos's pre-dispositional report reflected no prior mental health hospitalizations, and C.L. was not prescribed any medication. **See id.** at 9-10. Gabos testified that C.L. underwent a mental health evaluation and was found competent. **See id.** at 7. Also, she stated that C.L. had prior diagnoses of both attention deficit/hyperactivity disorder ("ADHD") and post-traumatic stress disorder ("PTSD"). **See id.** at 8. She observed that the evaluator recommended Multisystemic Therapy ("MST"),

which is a form of treatment that is not available in a residential placement setting, as it involves the participation of the entire family. **See id.** at 7, 10, 13-15.

Regarding C.L.'s home circumstances, Gabos testified that C.L.'s parents share custody, alternating in approximately six-month intervals, that they co-parent effectively, and they are consistently present at court proceedings. **See id.** at 11-12. Gabos described both parents as invested in, and supportive of, C.L.'s well-being. **See id.** at 12.

Gabos testified that, if C.L. were released on probation, electronic home monitoring ("EHM") would be appropriate, and she confirmed that the court could order participation in the Community Intensive Supervision Program ("CISP"), which provides educational support, gun violence prevention programs, and other group programs, typically five days a week at the outset. **See id.** at 12-13.

Based on the foregoing, the probation department's recommendation was that: (1) disposition be deferred until June 1, 2026, with permission to make referrals to other detention centers; (2) C.L. be ordered to complete forty hours of community service; (3) C.L. be ordered to pay court and crime laboratory fees; and (4) C.L. be ordered to participate in the "Impact of Crime" curriculum. **See id.** at 8.

J.W.'s testimony confirmed that C.L. resides with each parent approximately six months of the year. **See id.** at 17. J.W. explained that, if C.L. were released from detention, he would attend school in E.L.'s area of

residence, and that if C.L. were placed with her, C.L.'s transition to the school in J.W.'s area of residence would be "fairly seamless". **See id.** at 17, 22. J.W. testified that C.L. was previously involved in organized sports, after-school activities, and church activities. **See id.** at 17. She further testified that her wife is among the members of J.W.'s household who would be able to assist with C.L.'s morning routine. **See id.** at 21. J.W. confirmed that there are no firearms in her home or vehicles; although she had previously owned a gun, she does not own one currently, and her license to carry one expired. **See id.** at 21-23.

Regarding C.L.'s mental health, J.W. testified that he was enrolled in outpatient treatment when he was twelve to thirteen years old, but that treatment was terminated because C.L. missed two sessions due to J.W.'s work schedule. J.W. stated that if C.L. were released, she or E.L. would be able to transport C.L. to therapy sessions. **See id.** at 18. J.W. testified that, in her communications with C.L. during his detention, she observed he had become more emotional and that this was the longest separation she and he had experienced. **See id.** at 19. She noted that he cried frequently and expressed a desire to return home. **See id.**

J.W. further testified that she fully supported C.L.'s release on probation, acknowledging that although he had "lost his way" over the last year or two, C.L. could be redirected with support and appropriate services. **See id.** at 19-20. J.W. characterized C.L. as neither bad nor violent and stated

that she did not believe placement in a group home would benefit him. **See id.** at 20.

E.L. also confirmed C.L.'s custody arrangement and testified that no other adults resided in his home. **See id.** at 24, 27. E.L. described his commitment to providing comprehensive supervision for C.L., stating that he had stepped down from his position at work and was currently on leave to restructure his schedule around C.L.'s needs. **See id.** at 24-25. E.L. further stated that, if C.L. were ordered to participate in community-based therapy, he would be able to provide transportation. **See id.** at 25. He testified that there were no firearms in his home or vehicle and that he had never owned a firearm. **See id.** at 27.

E.L. also testified about the emotional toll that C.L.'s detention had on him as a parent and stated that C.L. had no prior experience with detention. **See id.** E.L. described the challenges inherent in C.L.'s alternating between two households and two different peer groups, and observed that, at twelve or thirteen years of age, a child is still forming his identity and is emotionally vulnerable. **See id.** at 25-26. E.L. further noted that C.L.'s existing diagnosis of an emotional disturbance compounded his impulsiveness during this developmental period of C.L.'s life. **See id.** at 26. E.L. expressed his view that C.L. "lost a bit of his way," but that his conduct was not reflective of his true character, and that with proper understanding and support, C.L. could return to the right path. **See id.**

Jones testified that he knew C.L.'s family for years, and that C.L. had previously participated in his football program and would be welcomed back into the program's decades-old mentorship program and other weekly activities if released by the court. **See id.** at 29-31. Jones described the community programming as an opportunity for C.L. to interact with positive male role models, and learn pride, responsibility, and respect for others. **See id.** at 30-32.

Following Jones's testimony, C.L.'s counsel read into the record a letter addressed to the judge and written by C.L. **See id.** at 33. In the letter, C.L. acknowledged the seriousness of his charge, accepted accountability for his conduct, and requested the opportunity to participate in the CISP program while remaining at home. **See id.** C.L. also specifically committed to attend school daily, maintain focus in his academic work, contribute to his community through football and clean-up efforts, and comply with all conditions imposed by the court, including adhering to authorized boundaries rather than acting on his own initiative. **See id.** C.L. expressed an understanding of the consequences of any future deviation from appropriate conduct. **See id.**

At the close of the hearing, C.L.'s counsel requested that C.L. be released on EHM, committed to CISP, and ordered to participate in MST.

The juvenile court acknowledged the strong family support and community resources available to C.L. and expressed its view that C.L. is not a bad child. **See id.** at 37. The court nonetheless ordered that C.L. continue in detention at Adelphoi Village Manor and deferred formal disposition, with

permission to later transfer C.L. to an appropriate out-of-home placement. **See id.** at 38-39. The court emphasized that its obligation extended not only to C.L.'s best interests but also to the safety of the broader community. **See id.** at 37-38. The court noted that although MST was not available in placement, C.L. could receive it later, and the court would order that C.L. do so later. **See id.** at 38. The judge commented that in over 20 years on the bench nothing had ever convinced him that a child in possession of a firearm was safe to remain in the community.⁴ **See id.** at 38-39. The court further ordered that C.L. complete forty hours of community service, pay all court costs and the crime laboratory fee, continue his education while in placement, and engage in all recommended mental health treatment. **See id.**

In his petition for review filed in this Court, C.L. presents one issue for our review: "whether the juvenile court abused its discretion in committing C.L. to an out-of-home placement facility[?]" Petition for Review at 13.

In support of that claim, C.L. contends that the juvenile court abused its discretion in ordering out-of-home placement because its decision was

⁴ On this point, the court specifically stated:

There is nothing in the world that convinces me a child with a firearm is safe in the community. Nothing. And I've been doing this for over [twenty] years, and I haven't seen it. I've seen just the opposite. I've seen other people get killed by mistake or on purpose as well[. I]t's not going to happen. It's whatever I can do to make sure that does not happen. So, he will be placed at this particular time as well.

N.T. Hearing, 5/19/26, at 38-39.

driven primarily, if not exclusively, by the nature of the charge against C.L.—namely, that a firearm was involved—rather than by the totality of his individual circumstances, as the Juvenile Act⁵ requires. **See id.** at 18. In making his assertion, C.L. first notes that the court-ordered mental health evaluation recommended that he enroll in MST, a treatment that is unavailable in a placement setting and only available in in-home placements; therefore, out-of-home placement directly contravenes C.L.’s identified treatment needs. **See id.** Second, C.L. asserts that no evidence was presented that he could not be treated adequately in the community or that out-of-home placement represented the least restrictive appropriate alternative. **See id.** Third, C.L. contends that, apart from the fact that the adjudicated offense involved a firearm, no evidence was presented that he posed a specific danger to the community. **See id.** at 19. Taken together, C.L. argues that these deficiencies reflect a disposition based on the offense category rather than on his individual facts and circumstances, which is an approach this Court has characterized as a prohibited “one-size-fits-all” policy. **See id.** (citing **In re R.W.**, 855 A.2d 107, 111 (Pa. Super. 2004)). C.L. maintains that the Juvenile Act mandates a disposition “best suited to the child’s treatment, supervision, rehabilitation, and welfare, under the individual circumstances of each child’s case,” **id.**, and that community-based treatment was the least-restrictive

⁵ **See** 42 Pa.C.S. §§ 6301-6375.

dispositional alternative consistent with both public protection and his rehabilitative needs. ***See id.*** (citing 42 Pa.C.S. § 6352(c)).

C.L. proposes that he be placed on probation, subject to a review hearing to assess his progress, with the following conditions: (1) commitment to CISP; (2) EHM for a period to be determined by the court; (3) participation in MST and any additional recommended mental health treatment; (4) daily school attendance; (5) completion of the Impact of Crime Curriculum; (6) community service; and (7) payment of court costs and restitution. C.L. requests that this Court grant his petition, vacate the juvenile court's May 19, 2026 dispositional order committing him to an out-of-home placement facility, and remand for a new dispositional hearing at which he would be ordered to participate in and successfully complete CISP. In the alternative, C.L. requests any other relief that "law, justice, and fundamental fairness require." Petition for Review at 21 ¶ 45. For the following reasons, we reverse the order directing out-of-home placement and remand for a new dispositional hearing consistent with this decision.

Our standard of review of a petition for specialized review under Rule 1612 is for an abuse of discretion, as follows:

When reviewing a petition filed pursuant to [Rule] 1612, this Court shall not consider any challenge to the juvenile court's selection of a specific agency or specific institution as the site of the out-of-home placement and instead may consider only a challenge to the fact that the placement is out-of-home. This Court also shall not consider any challenge to the underlying adjudication of delinquency. Our review is therefore limited to the juvenile court's decision to place the petitioner outside of his or her home. The juvenile court is granted broad discretion in determining the

appropriate disposition for a petitioner and will not disturb its decision absent a manifest abuse of discretion. The juvenile court has considerable power to review and modify the commitment, taking into account the rehabilitative progress or lack of it of the juvenile.

Interest of A.R.A., 315 A.3d 877, 881-82 (Pa. Super. 2024) (citations, quotation marks, and brackets omitted).

This appeal also requires us to interpret the Juvenile Act, a question of statutory construction, for which our standard of review is *de novo*. ***See Commonwealth v. M.W.***, 39 A.3d 958, 962 (Pa. 2012).

The following rules generally govern cases of statutory interpretation:

When interpreting the language of a statute, we are guided by the polestar principle that we must ascertain and effectuate the intent of the General Assembly in enacting the statute. In so doing, we must give effect to all of the provisions. Further, when the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit. Generally, the best indication of the General Assembly's intent in enacting a statute may be found in its plain language.

Id. at 963-64 (citations, quotation marks, and brackets omitted).

The Juvenile Act sets forth its purposes and how it should be interpreted:

(b) Purposes.—This chapter shall be interpreted and construed as to effectuate the following purposes:

(1) **To preserve the unity of the family whenever possible** or to provide another alternative permanent family when the unity of the family cannot be maintained.

(1.1) To provide for the care, protection, safety and wholesome mental and physical development of children coming within the provisions of this chapter.

(2) Consistent with the protection of the public interest, 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.

(3) **To achieve the foregoing purposes in a family environment whenever possible, separating the child from parents only when necessary** for his welfare, safety or health or in the interests of public safety, by doing all of the following:

(i) employing evidence-based practices whenever possible and, **in the case of a delinquent child, by using the least restrictive intervention that is consistent with the protection of the community, the imposition of accountability for offenses committed and the rehabilitation, supervision and treatment needs of the child;** and

(ii) imposing confinement only if necessary and for the minimum amount of time that is consistent with the purposes under paragraphs (1), (1.1), and (2).

(4) To provide means through which the provisions of this chapter are executed and enforced and in which the parties are assured a fair hearing and their constitutional and other legal rights recognized and enforced.

42 Pa.C.S. § 6301(b) (emphases added). In other words, the Juvenile court must strive to keep the family unit intact and separate a delinquent child from his parents **only** when necessary; and, in making this decision, the juvenile court must use the **least restrictive intervention** available consistent with protection of the community and in light of the individualized needs of the child. ***See id.***

Pursuant to Section 6352(a) of the Juvenile Act, a dispositional order must “be consistent with the protection of the public interest and best suited to the child’s treatment, supervision, rehabilitation and welfare” and must, “as appropriate to the individual circumstances of the child’s case, provide

balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable the child to become a responsible and productive member of the community.” 42 Pa.C.S. § 6352(a).

Before entering a dispositional order, the juvenile court must state its disposition and the reasons therefore, in open court, along with the goals and terms of the disposition. **See** 42 Pa.C.S. § 6352(c). Where the disposition requires out-of-home placement, the court must additionally identify the specific facility or type of facility and state the findings of fact and conclusions of law on which the decision is based. **See id.** The court must explain why commitment constitutes “**the least restrictive placement** that is consistent with the protection of the public and best suited to the child’s treatment, supervision, rehabilitation and welfare.” **Id.** (emphasis added).

Instantly, in its July 7, 2026 statement, the juvenile court found that C.L. entered an admission to possession of a firearm by a minor, which was supported by a written colloquy reviewed with counsel. Juvenile Court Opinion, 7/7/26, at 2. The court further found that C.L. needed court supervision and treatment. **See id.**

The juvenile court’s decision to order out-of-home placement rested on three central points. First, regarding C.L.’s behavioral and mental health history, the court noted that C.L. had existing diagnoses of ADHD and PTSD, had undergone a competency and mental health evaluation resulting in a competency finding, and had been recommended for MST treatment therapy.

The court acknowledged that MST treatment is only available in a home setting and not in placement. ***See id.*** at 3.

Second, regarding C.L.'s home environment, the court observed that C.L. was dismissed from outpatient therapy sessions because his mother's work schedule prevented her from transporting him to sessions. The court also observed that, although C.L.'s father had since left his employment to be more available to C.L., this change indicated that he previously was not accessible. The court acknowledged that both parents demonstrated good intentions but found that their expressed commitments were prospective in nature. The court discussed its view of a demonstrated pattern of conduct leading to the instant offense, which jeopardized C.L.'s and the community's safety. ***See id.*** at 3-4.

Third, regarding public safety and C.L.'s welfare, the court found, as mentioned above, that C.L.'s possession of a firearm placed both him and the community at risk. Therefore, the court concluded that placement was necessary to address C.L.'s mental health needs in a structured environment, while allowing his education to continue. The court further concluded that the delinquency adjudication and the out-of-home placement were supported by clear and convincing evidence and opined that this Court should affirm its decision. ***See id.*** at 4.

On appeal, the Commonwealth relies primarily on our decision in ***In the Interest of D.W.***, 220 A.3d 573 (Pa. Super. 2019).⁶ Nevertheless, we find that case is distinguishable from the instant facts.

Therein, police discovered D.W. (who was 17 years old at the time) with four cohorts sitting in a parked automobile smoking marijuana. Following a pat-down frisk for weapons, police recovered a handgun on D.W.'s person. After the court subsequently adjudicated D.W. delinquent, it ordered out-of-home placement for D.W.

This Court affirmed that determination on appeal, and explained our analysis as follows:

The juvenile court, in its role as the ultimate arbiter of fact, highlighted the history of D.W.'s persistent truancy during the 2018-2019 academic year when he missed approximately one-half of the 186 school days. It also considered the fact that D.W.'s educational needs were not being satisfied at home and that the juvenile lacked accountability or adult supervision. These concerns are exemplified by Mother's validation of D.W.'s failure to return to school during Spring 2019, including missing his final exams, following a ten-day suspension from school for the disorderly conduct that was the genesis of the additional charges leveled at juvenile action number 879. The juvenile court noted Mother's concession during the juvenile proceeding that "A lot of him missing school was all my doing. Like I said, I didn't enroll him in school right away. I had a problem with sending him to that school." In this vein, we also observe that, while Mother testified that D.W. had made the honor roll, his drug and alcohol evaluation revealed that, "Based on his report card, his performance in school is relatively low[.] He has C's and D's in English, Geometry, Algebra, Physics, Chemistry."

⁶ The Juvenile court judge in this case is the same judge who presided over the case in ***D.W.***

Likewise, the record contradicts Mother's sentiments that D.W.'s biological father was among the individuals who would be available to occasionally supervise the juvenile at home. Mother testified, "I have a 24-year-old daughter that's there, and D.W.'s father is also there sometimes." However, the psychiatric report reveals that D.W. "does not have any contact with his biological father."

In addition to the foregoing problems with Mother's credibility, the juvenile court was also concerned that Mother did not intercede in her son's decision to carry a firearm. In sum, the court determined that, after weighing the testimony presented by Mother, Probation Officer Gray, and the CYF case worker, and considering the psychiatric and substance abuse evaluations, in-home placement would not achieve the treatment and rehabilitative concerns outlined in the Juvenile Act. For the following reasons, we agree.

None of the foregoing considerations that the juvenile court identified in support of out-of-home placement equates to an abuse of discretion, even when viewed in the light cast by the probation department's recommendation of in-home placement, and the psychiatrist's apparent endorsement of that position. Phrased differently, the record supports the court's determination that in-home placement is inappropriate under the particular circumstances of this case.

While Mother claimed to have familial support, and CYS confirmed that it offered the family in-home services for approximately eighteen months, to date, those resources proved ineffectual in meeting D.W.'s needs. **D.W. was chronically truant from school and he regularly carried a firearm while under Mother's supervision. Mother's decisions to engineer her son's truancy and accept, if not tacitly endorse, his illegal possession of a handgun, erode the underpinnings of the probation officer's recommendation for in-home placement.**

Similarly, the juvenile court consistently cited the fact that D.W. presented a danger to himself and a risk to the community. The juvenile's history with gun violence is ensconced in the record. He witnessed the shooting death of a close acquaintance, his stepfather died as a result of gun violence, and he was shot in the leg approximately seven months prior to the instant arrest. D.W.

suffers from post-traumatic stress disorder as a result of being shot.

D.W., 220 A.3d at 579-80 (citations and original brackets omitted; emphasis added).

This Court further rejected D.W.'s assertions that the juvenile court had applied a blanket imposition of commitment simply based on his possession of a firearm, noting:

In actuality, the juvenile court's principal concerns throughout these proceedings focused on D.W.'s individualized needs and the consequences of the juvenile's unsettling behavior on the community. The juvenile court's consideration of D.W.'s possession of a concealed weapon exceeded the simple fact that a minor possessed a gun. In reality, the juvenile court considered how gun violence affected D.W. in particular and determined that those specific considerations militated in favor of out-of-home placement.

Id. at 580.

This Court further observed that D.W. had been arrested for disorderly conduct one month before the arrest at issue:

While the juvenile's prior conduct did not result in an adjudication of delinquency due to the victim's failure to attend the hearing, it undermines the probation officer's perspective that D.W. was new to delinquency proceedings and, more importantly, it further illustrates D.W.'s need for a level of supervision and rehabilitation that he cannot receive at home. Similarly, by engaging in this behavior one month before the instant arrest, D.W.'s actions refute his argument that the juvenile court abused its discretion in declining to adopt the probation officer's recommendation in favor of leniency.

Id. at 580-81.

Thus, the following facts at issue in **D.W.** supported the court's determination that out-of-home placement was necessary: (1) D.W.'s need

for substance abuse and mental health treatment; (2) D.W.'s history of truancy from school; (3) D.W.'s lack of support at home from a non-present father and a mother who had tacitly endorsed her son's possession of a firearm and truancy; (4) D.W.'s disorderly conduct incident that took place one month before the arrest at issue; and (5) D.W.'s personal history with gun violence, which resulted in D.W. being shot and suffering from PTSD.

Instantly, the case before us involves distinguishable facts insofar as this petitioner is a child who was 13 years old and in 7th grade at the time of the offense,⁷ with no prior history of any juvenile allegations or proceedings. **See** N.T. Hearing, 5/19/26, at 8, 10. Although C.L. admittedly had poor grades due to a lack of focus, his attendance in school was good. **See id.** at 8. C.L. lives with each parent for six months of the year and the parents coparent "pretty well." **Id.** at 11. Both of C.L.'s parents are invested in his well-being, supportive, and were present at all hearings. **See id.** at 12. C.L.'s father even stepped down from his position at work so that he could focus on and attend to C.L.'s needs to get him proper supervision to be in a "better situation." **Id.** at 24. Nothing in the record suggests that C.L. has any substance abuse issues or history with drugs. C.L.'s mother also discussed how C.L. had become more emotional since being detained, "crying a lot more[,]" and expressing how he wants to come home, based on the separation

⁷ The record does not disclose the circumstances of how C.L. came to possess a firearm or how he was discovered in possession of one.

from his parents. ***Id.*** at 19. Jones also testified that he has known C.L.'s family for a long time and that he could help by enrolling C.L. in the mentorship program and the youth football program. ***See id.*** at 30-31. C.L. also wrote a letter to the court taking accountability for his actions, acknowledging the severity of the charge against him, and promising that when he is back home, he will not "goof around" in school, he will stay on task, clean up around the community, help out on the football fields, and will "not deviate because [he] know[s] where it's going to lead to." ***Id.*** at 33. Consequently, we find ***D.W.*** readily distinguishable.

Moreover, in conducting our review, we observe that the juvenile court's analysis focused primarily on the offense at issue (possession of a firearm) and the safety of the public, without adequately considering C.L.'s "rehabilitation, supervision[,], and treatment needs[.]" 42 Pa.C.S. § 6301(b)(3)(i).

Here, in ordering out-of-home placement for C.L., the juvenile court stated on the record as follows:

I've heard a lot from both of [C.L.'s] parents. There is no question that [C.L.] has a lot of love in his family, both his mother and father, and as well as our community leaders, and different things as well, yet, here we are, still here today.

I am not—and in regard to [C.L.], as with any other juvenile that comes before me, this is not an issue of not being bad or violent, you know, kids do things that they shouldn't do. I understand that as well. I do not consider [C.L.] to be a bad child, but, you know, there are some directions, some new directions he needs to take that he hasn't taken at this particular time.

You know, he's been living with his mother and father, you know, different times. I believe both of them love him like crazy and want only the best thing for him as well.

But let me just tell you a little bit what my job is: My job is just to—in regard to [C.L.], what's the best thing for him—but also the safety of the community at large as well, and I take both of those things seriously as well. One of the things that sort of isolates [C.L.] because he's the one that's here today. But I just want him and his parents to understand that, you know, this is a lovable child. I love him. He's not my child. But any other child that comes in here, I treat the same way, if they were my own children as well.

So, there's no question he needs mental health treatment. Yet, at the same time, in regard to mental health in regard to MST, I understand it's not available in the community, but it doesn't have to happen here today. That's something that can happen later on, and I'm going to put that in my order as well; MST treatment will occur later down the line. But at this time, here today, he will be detained. He will be placed in appropriate placement as well.

And in regard to how his parents feel and different things, I mean, even myself, I mean, it's difficult to send children to placement as well. I understand that, you know, but that's my job in regard to the safety of others as well. **There is nothing in the world that convinces me a child with a firearm is safe in the community. Nothing. And I've been doing this for over 20 years, and I haven't seen it. I've seen just the opposite. I've seen other people get killed by mistake or on purpose as well, it's not going to happen. It's whatever I can do to make sure that does not happen.** So, he will be placed at this particular time as well. He will continue with all recommendations in regard to his mental health as well. He will complete 40 hours of community service and pay court costs, as well as the Crime Lab fee, continue with education while in placement as well, and his mental health.

N.T. Hearing, 5/19/26, at 36-39 (emphasis added). In its Rule 1925(a) opinion, the court continued:

The court finds that while both [J.W.] and [E.L.] clearly have the best intentions for C.L., their expressed efforts before this court are for the future. The court focuses on the path that C.L. had

been following which led him to the instant situation and the case at hand. This path resulted in C.L. being in possession of a firearm, thereby jeopardizing C.L.'s safety, as well as the safety of the community. The court finds that C.L. is in need of placement to better address his mental health needs while continuing with his education.

Juvenile Court Opinion, 7/7/26, at 3-4 (unnecessary capitalization omitted).

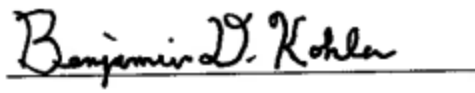
After our review, although the court stated that C.L. requires placement to better address his mental health needs, the record reflects that the recommended treatment for C.L. was MST based on a previous mental health diagnosis of ADHD and PTSD. **See** N.T. Hearing, 5/19/26, at 7-8.⁸ Notably, Gabos testified that MST is "a very intensive mental health treatment, which does involve the entire family. It usually takes place [. . . two] days a week in the home." **Id.** at 10. She further testified that MST treatment "cannot be provided at a placement" as it "is a very, very intensive" treatment. **Id.** Moreover, she explained that "[n]othing can replace the type of treatment that is given as MST because it [. . .] involves the whole family." **Id.** at 14. Although C.L. would receive alternate therapy in a placement facility, the court acknowledged that "it's just not the same level of treatment that MST is[.]" **Id.** at 15. Thus, although the court stated that C.L. required placement to better address his mental health needs, the court ultimately deferred the recommended treatment by ordering placement for C.L., as MST treatment can only take place in the home.

⁸ C.L. had no prior mental health hospitalizations and was not prescribed any medications at the time of the hearing. **See** N.T. Hearing, 5/19/26, at 9-10.

In our view, the court abused its discretion in failing to give due consideration to the least restrictive intervention consistent with both C.L.'s individualized needs and the protection of the public considering the circumstances of this case. **See** 42 Pa.C.S. §§ 6301(b)(3)(i), 6352(c). Although this Court appreciates the severity of the offense at issue and does not minimize the need to protect the public from firearms, the Juvenile Act requires that these factors be weighed alongside the delinquent child's individualized needs. **See id.** Accordingly, based on C.L.'s age, the nature of C.L.'s delinquency, C.L.'s recommended treatment, C.L.'s supportive family and community, and the other circumstances of this case (including C.L.'s school situation and lack of delinquency history), we find that the juvenile court abused its discretion in failing to implement the least restrictive intervention available consistent with protection of the community and in light of C.L.'s individualized needs. **See A.R.A.**, 315 A.3d at 881-82. Accordingly, we reverse the order of the court placing C.L. out-of-home and remand this case for a new dispositional hearing—to be held as soon as possible and no later than 5 days after remand of the record in this case—wherein the court places C.L. in an in-home placement and requires him to participate in MST.

Petition for expedited review of out-of-home placement granted. Order reversed. Remanded with instructions. Jurisdiction relinquished.

Judgment Entered.

A handwritten signature in black ink, reading "Benjamin D. Kohler", is written over a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

DATE: 8/28/2026