

Supreme Court Amends Rule Governing Counsel’s Continuing Obligation and Motions to Withdraw in Criminal and Juvenile Delinquency Appeals.

By an order dated February 2, 2026, the Delaware Supreme Court has amended Supreme Court Rule 26, which governs appeals in criminal and juvenile delinquency cases. While maintaining counsel’s continuing obligation to advise the client and docket an appeal in both trial and guilty plea cases, the amendments establish different requirements for “non-merit” appeals, depending on whether the appellant pleaded guilty or was convicted or adjudicated delinquent after a trial. The amendments also clarify the procedures for motions to withdraw on other grounds in criminal and juvenile delinquency cases.

The rule amendments, which are available on the [Court’s website](#), will apply to appeals filed on or after March 16, 2026. If you have any questions, please contact Karlis Johnson, Supreme Court Administrator, at karlis.johnson@delaware.gov.