

VIA: ZOOM, THURSDAY, JANUARY 11, 2024, AT 10:30 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51137

In the Matter of: John Doe I, A Child)
Under Eighteen (18) Years of Age.)

JANE DOE,)

Petitioner-Respondent,)

v.)

JOHN DOE (2023-36),)

Respondent-Appellant.)

Appeal from the Magistrate Division of the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John A. Cafferty, Magistrate.

Anne C. Taylor, Kootenai County Public Defender; Jonathan E. Williams, Deputy Public Defender, Coeur d'Alene, for appellant.

Rakes Mediation & Family Law, PLLC; Matthew A. Rakes, Coeur d'Alene, for respondent.

This case involves the magistrate court's termination of John Doe's ("Doe") parental rights. Doe is the father of John Doe I (Child) in this action. Child was born in 2014 but pursuant to a court order in 2017, respondent, Jane Doe ("Mother") retained sole legal and physical custody. Until 2018, Doe had some visitation with Child and provided support. Following an incident in 2018, Mother placed limits on visitation and blocked Doe's phone number. Subsequently, in 2020, Doe moved out of state but returned to Idaho in 2023. When Doe returned to Idaho he attempted to contact Child and Mother. Thereafter Mother sought to terminate Doe's parental rights asserting abandonment. A trial was held and the magistrate court found Doe had abandoned Child and that termination is in Child's best interests. Doe appeals and argues the magistrate court failed to consider mitigating factors relative to the abandonment claim and considered inappropriate factors in determining best interests of Child.