

SUMMARY STATEMENT

Suter v. Biggers
Docket No. 41976

The Idaho Supreme Court unanimously affirmed the Gem County magistrate's decision in a custody dispute between Jeffery Biggers ("Jeff") and Emily Suter ("Emily") over their two children. After trial, the magistrate court found that it would be in the children's best interests to remain in the Emmett area. The court ordered that Jeff and Emily share joint physical and legal custody with Jeff as the primary custodian, and that Emily have visitation throughout the year. The Idaho Supreme Court held the magistrate court did not err when it allocated the burden of proving the children's best interests to Jeff. The Court also held the magistrate court did not abuse its discretion by giving Jeff primary physical custody because it gave a reasoned analysis of the children's best interests using the proper statutory factors.