

SUMMARY STATEMENT

Doe v. Shoshone-Bannock Tribes
Docket No. 43165

In a case arising out of Bonneville County, the Shoshone-Bannock Tribes appealed from an adoption proceeding at the district court level. The Tribes did not challenge the adoption itself, but did challenge: the district court's finding that the adopted child was not an "Indian Child" under the Indian Child Welfare Act; the district court's order compelling discovery of a certain document and subsequent sanctions for failure to comply with its discovery order; an injunction ordered by the district court preventing the Tribes from processing or filing any application for the adopted child's tribal membership; and orders of the district court granting attorney fees against the Tribes (one pre-judgment and one post-judgment). The Idaho Supreme Court held that: any error present in the district court's finding that Child was not an Indian Child was harmless error; the order of the district court compelling discovery was reversed because the document to be discovered was not relevant to any issue before the district court, and the monetary sanctions based on non-compliance with the erroneous discovery were improper; the injunction granted by the district court was improper as it violated the Tribes' sovereign immunity; and finally, the district court's orders granting attorney fees against the Tribes were reversed because the pre-judgment order was not authorized by statute or contract and the post-judgment order violated the Tribes' sovereign immunity.