

SUMMARY STATEMENT

John Doe I v. John Doe II, Docket No. 43233

In an appeal from the magistrate court for the County of Elmore, the Supreme Court vacated the magistrate court's order terminating John Doe II's parental rights and the Decree of Adoption. John Doe II appealed the magistrate court's order terminating his parental rights arguing that John Doe I lacked standing under Idaho Code section 16-2004(b) and that the magistrate court's decision was not supported by clear and convincing evidence. The Supreme Court held that John Doe II waived his standing argument by not addressing the magistrate court's finding that John Doe I had standing under Idaho Code section 16-2004(d). However, the Supreme Court determined that the inconsistency between the magistrate court's oral findings of fact and written conclusions of law required the Supreme Court to vacate the decision and remand the case to the magistrate court with directions for the magistrate court to prepare new findings of fact and conclusions of law.