

## **SUMMARY STATEMENT**

*Doe (2016-1) v. Doe*, Docket No. 43774

In an appeal from Ada County, the Supreme Court affirmed the magistrate court's order modifying a protection order that restricted John Doe from contacting his daughter, CG, except by phone, for a one year period. John Doe argued that the magistrate court erred when it determined that there was an "immediate and present danger of domestic violence" necessary to warrant a protection order and the magistrate court abused its discretion when it issued the protection order for a one year period.

The Supreme Court held that the magistrate court did not err when it found an immediate and present danger of domestic violence necessary to warrant a protection order. The Supreme Court concluded that the magistrate court had properly considered all of the facts and circumstances before making its decision and no error was present in the record. The Court also held that a threat of future domestic violence is not required to find an immediate and present danger of domestic violence under Idaho Code section 39-6306(2). The Supreme Court declined to address other claimed errors, finding that John Doe's other claims were either not supported by argument and authority, or not properly before the Court.