

SUMMARY STATEMENT

Jane Doe I v. Janes Doe II, Docket No. 44874

This case involves a petition for co-adoption of two children. The Court held that there was no basis for claiming legal error where a magistrate judge expressed a likely outcome of a motion, but did not actually hear the matter or enter an order from which an appeal could be taken. The Court also held that it did not have jurisdiction to hear Jane Doe I's challenge to the magistrate court's decision to set aside an adoption judgment based on fraud because it was untimely. Jane Doe I correctly appealed the magistrate court's decision to vacate the adoption judgment to the district court under Idaho Appellate Rule 11(a)(7). The district court erred when it dismissed the appeal, but Jane Doe I did not timely appeal that dismissal. The Court finally held that the magistrate court properly dismissed the parties' original petition for co-adoption because the guardian did not give sufficient legal consent.