

SUMMARY STATEMENT

Idaho Dep't of Health & Welfare v. Does I (2017-16)

Docket No. 45020

In an appeal from a decision of the Idaho County Magistrate Court, the Supreme Court overturned the magistrate court's decision regarding the amended permanency plan for two minor children in custody of the Idaho Department of Health and Welfare. The Court held that by disregarding the sibling placement priorities of child protective proceedings and the Department's primary role in placement of children committed to its care, the magistrate court had abused its discretion by rejecting a proposed amendment to the permanency plan that would have kept the children together.

The Court further held that the magistrate court abused its discretion by entering an order that did not permit the Department to fulfill its exclusive role in placement decisions for children under its guardianship. Finally, the Court held that the magistrate court erred when it terminated the Department's guardianship over one of the children on its own initiative and without advance notice to the Department.

Although the Supreme Court held that the magistrate court had erred, the Court acknowledged that the errors were the understandable product of failures and irregularities in the Department's handling of the case. The Court vacated three orders of the magistrate court and remanded the case to a different magistrate judge.