

## **SUMMARY STATEMENT**

*Jane Doe I v. Jane Doe (2018-16)*

Docket No. 45880

The Supreme Court reversed and remanded the decision of the Butte County magistrate court to deny a motion by Jane Doe (Mother), the biological mother of an adult, mentally-incapacitated child (Son) to set aside a decree of adoption declaring Jane Doe I (Step-Mother) to be a parent of Son without notice to Mother or her consent. The Court held that the magistrate court incorrectly denied Mother's motion to set aside the decree because the plain language of Idaho Code section 16-1504 required Mother's consent to the adoption, and therefore she was also entitled to notice of the proceeding.