

SUMMARY STATEMENT

Overholser v. Overholser, Docket No. 46021

The Supreme Court vacated the order denying standing to custodial grandparents from the Twin Falls County magistrate court because the ruling was inconsistent with the Court's decision in *Hernandez v. Hernandez*, 151 Idaho 882, 265 P.3d 495 (2011). The Supreme Court held that Idaho Code section 32-717(3) is constitutional on its face and as applied in these circumstances. The Court also remanded the case with instructions to determine whether Child was living with Grandparents at the time they petitioned the court and whether a stable relationship existed between them.