

Summary Statement

IDHW v. Jane Doe

Docket No. 46230

Jane Doe (Mother) appealed the Cassia County magistrate court's termination of her parental rights to her minor child, T.G.E. (Child). On May 3, 2017, the Idaho Department of Health and Welfare (the Department) moved to terminate Mother's parental rights. Father had previously terminated his parental rights voluntarily. Following a termination hearing, the magistrate court found termination proper based on neglect and entered an order to that effect on December 8, 2017 (the Order). The magistrate court, in addition to other substantial evidence of neglect, held as a basis for termination Mother's refusal to seek further diagnosis for her purported brain tumor. However, in a subsequent decree (the Decree) issued on December 15, 2017, the magistrate court stated Mother's parental rights were being terminated based on abandonment. On appeal, both Mother and the Department raised procedural issues in briefing relating to the conflicting Order and Decree. Subsequently, this Court remanded the case for entry of a new judgment terminating Mother and Father's rights to Child, and stated the Order would constitute the findings of fact and conclusions of law. Mother timely appealed and contended the magistrate court erred when it terminated Mother's parental rights. The Idaho Supreme Court affirmed the magistrate court's termination of Mother's parental rights. In so doing, the Court concluded that there was substantial, competent evidence supporting the magistrate court's finding of neglect and subsequent termination of Mother's parental rights.