

**SUMMARY STATEMENT**

*IDHW v. Doe (2019-22)*

Docket No. 47230

This case involves an appeal of the termination of a mother's right to parent her young son, John Doe (Son). Jane Doe (Mother) executed a voluntary consent to terminate her parental rights to Son, and shortly thereafter filed a motion to rescind her consent. The magistrate court denied the motion. Termination proceedings were then conducted without Mother, her counsel, or a guardian ad litem for Mother being present, and Mother's parental rights were terminated. Mother appealed. The Idaho Supreme Court held that the form Mother signed was not contemplated by Idaho Code section 16-2007(3) as consent to terminate Mother's parental rights, and therefore the form was not rendered irrevocable by case law. The Court also found error in the magistrate court's failure to appoint a replacement guardian ad litem despite previously recognizing the need for one. Accordingly, the Court vacated the judgment of the magistrate court terminating Mother's parental rights, and remanded the case for further proceedings.