

**SUMMARY STATEMENT**

*IDHW v. Doe (2019-39)*

Docket No. 47534

John Doe I (Child) was removed from the care of his paternal grandmother and his father, John Doe. When the Department petitioned to terminate Father's parental rights, Father failed to attend scheduled hearings, ceased communicating with the Department, and only sporadically contacted his attorney. After several continuances, the termination trial proceeded. The magistrate court concluded that Father had not complied with the case plan and was unable to discharge his parental responsibilities. The magistrate court found it was in Child's best interests to terminate Father's parental rights. Father appealed, arguing that the magistrate court abused its discretion in allowing the Department to amend its petition to terminate by adding a separate, alternate basis for termination, and by granting only a two-week continuance to Father to respond to the alternate basis for termination. The Idaho Supreme Court affirmed the magistrate court's judgment terminating Father's parental rights, concluding that the magistrate court did not abuse its discretion in allowing the petition to terminate to be amended and in denying Father's request for an additional continuance. The Court also concluded that substantial and competent evidence supported the magistrate court's conclusion that Father was unable to discharge his parental responsibilities.