

## SUMMARY STATEMENT

*John Doe I v. Jane Doe (2020-14)*

Docket No. 47885

Jane Doe appealed from the judgment terminating her parental rights to her minor children which was entered by a Gem County magistrate court. In October of 2019, Jane Doe's ex-husband (John Doe) filed a petition in Gem County, pursuant to Idaho Code § 16-2003, to terminate Doe's parental rights to her two minor children. On March 3, 2020, the minor children entered foster care in Ada County after being declared in imminent danger by law enforcement while in John Doe's care. On March 5, 2020, an Ada County magistrate court found jurisdiction over the children under the Child Protective Act and placed them in the temporary legal custody of the Department of Health and Welfare. On March 6, 2020, the Gem County magistrate court enter an order for default against Doe. On March 18, 2020, the Gem County magistrate court entered its findings of fact and conclusions of law and a judgment terminating the parent-child relationship between Doe and her two minor children. A final judgment terminating Doe's parental rights was entered in Gem County on March 20, 2020.

On appeal, Doe argued that the magistrate court: (1) did not have jurisdiction to enter an order terminating her parental rights; and (2) erred by entering a default judgment against her in a parental termination proceeding. The Court of Appeals held that pursuant to I.C. § 16-2003, Gem County lost jurisdiction over the termination proceeding because the termination had not become final when Ada County retained exclusive jurisdiction over the children under the Child Protective Act. Therefore, the Court of Appeals vacated the judgment terminating Doe's parental rights.