

## **SUMMARY STATEMENT**

*Doe I v. Doe*

Docket Nos. 48479 & 48499

This is an appeal from an order terminating the parental rights of Jane Doe (Mother) and John Doe (Father), a married couple who are the biological parents of E.W. (Child). Mother and Father were both incarcerated in federal penitentiaries from 2015 until 2020. Mother gave birth to Child while incarcerated and asked her friend Jane Doe I (Guardian Mother) and her husband John Doe I (Guardian Father) (collectively, “Guardians”) to care for Child until Mother was released. Guardians have raised Child since her birth and presently act as Child’s legal guardians. Guardians filed a petition seeking to terminate the parental rights of Mother and Father and to adopt Child. A termination trial was held by the magistrate court, after which the magistrate court terminated the parental rights of both Mother and Father.

On direct appeal to the Idaho Supreme Court, Mother and Father argued that Guardians’ petition for termination and adoption failed to allege any facts sufficient to put them on notice of the grounds for termination. The Supreme Court held that Mother’s and Father’s due process right to notice had been violated because the petition failed to allege factual grounds supporting termination of Mother’s and Father’s parental rights. The Supreme Court reversed the decision of the magistrate court and remanded the case with instructions to dismiss the petition without prejudice.

\*\*\*This summary constitutes no part of the opinion of the Supreme Court, but has been prepared by court staff for the convenience of the public.\*\*\*