

**SUMMARY STATEMENT**  
*Jane Doe v. John Doe (2023-36)*  
Docket No. 51137

The Court of Appeals affirmed in part and reversed in part the judgment of the magistrate court terminating John Doe’s (2023-36) parental rights to John Doe I (Child). In 2017, Jane Doe (Mother) was granted sole legal and physical custody. After a dispute in 2018, Mother blocked Doe’s phone number. Later that year, Doe ceased providing support and, in 2020, Doe moved out of state. Doe returned to Idaho in 2023 and attempted to contact Mother and Child. Subsequently, Mother filed a petition for termination. The magistrate court found that Doe had abandoned Child based on a lack of contact and involvement in Child’s life since 2018 and that termination is in Child’s best interests.

On appeal, Doe argued that the magistrate court erred in finding that Doe abandoned Child and that termination is in Child’s best interests. Specifically in regard to analyzing best interests, Doe asserted the magistrate court erred by utilizing the factors from Idaho’s divorce statute, Idaho Code § 32-717. The Court of Appeals held that substantial and competent evidence supported the magistrate court’s findings that Doe abandoned Child. However, the magistrate court’s determination that termination of Doe’s parental rights is in Child’s best interests was based on a misapplication of law. Because the I.C. § 32-717 factors are not applicable in termination proceedings, the Court of Appeals vacated the judgment and remanded the case to the magistrate court for redetermination of the best interests analysis.

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