

**SUMMARY STATEMENT**  
*Jane Doe v. John Doe (2024-01)*  
Docket No. 51491

John Doe (Doe) and Jane Doe (Mother) are the biological parents of John Doe II (Child), who was born in 2013. Doe and Mother were never married. Mother and Doe ended their relationship in 2016, and Doe moved from Caldwell to Idaho Falls. Mother and Doe did not obtain a formal custody, visitation, and support order and, instead, used an informal arrangement. Mother began a relationship with John Doe I (Stepfather).

In February 2022, Mother and Stepfather filed a petition for termination and adoption. The petition sought termination of Doe's parental rights on the basis of abandonment and neglect. The magistrate court found Doe had neglected Child by not maintaining a normal parent-child relationship and regular contact with Child, failing to engage in medical care or educational care, and failing to provide financial support. The magistrate court also found it was in Child's best interests for Doe's parental rights to be terminated. On appeal, Doe argues there was not sufficient and competent evidence to find that Doe neglected Child and that termination of his parental rights is in Child's best interests.

The Idaho Court of Appeals held that Idaho Code § 16-2004(a) expressly provides that a parent may file a petition to terminate the other parent's parental rights. The Court held that there was sufficient and competent evidence for the magistrate court to find that Doe did not provide parental care, did not maintain regular contact, was not involved in Child's medical care, educational care, or Child's extracurricular activities, and lastly, that Doe had failed to contribute financially to the well-being of Child. The Idaho Court of Appeals affirmed the magistrate court's finding that statutory grounds for neglect had been found.

The Idaho Court of Appeals held that there was sufficient and competent evidence for the magistrate court to find termination of Doe's parental rights were in the best interests of Child. The relationship between Child and Doe has been diminished by Doe's absence from Child's life. Moreover, Mother and Stepfather meet Child's physical, mental, and emotional well-being. Stepfather is involved in Child's educational care, helping with schoolwork, and attending parent-teacher conferences. The Court noted that while the decision to terminate parental rights is not a comparison of whether the parent or a stepparent can better fulfill parental responsibilities, the magistrate court is not required to ignore the overall situation of Child's life while in the care of

Mother and Stepfather. The Idaho Court of Appeals affirmed the magistrate court's decision to terminate Doe's parental rights. A special concurrence was filed.

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