

SUMMARY STATEMENT

Idaho Department of Health and Welfare v. Jane and John Doe
Docket Numbers 51562 and 51565

This is a consolidated appeal that arose from a Child Protection Act (“CPA”) proceeding. Jane Doe and John Doe (collectively, “Parents”) are the biological parents of five minor children. In 2023, law enforcement removed the children from the Parents’ home following allegations of physical abuse. Thereafter, the magistrate court vested temporary custody of the children with the Department of Health and Welfare (“IDHW”) following a shelter care hearing, and, again, after an adjudicatory hearing.

Parents appealed, challenging three decisions that interfered with their care, custody, and control of the children at various stages of the CPA proceedings. First, Parents contend that law enforcement’s initial removal of the children—without a warrant or evidence of imminent danger—violated their Fourth and Fourteenth Amendment rights and that the appropriate remedy for such violation is dismissal of the CPA case. Second, Parents contend that the magistrate court erred by placing the children in shelter care because the magistrate court’s findings were unsupported by substantial and competent evidence. Third, Parents contend that the magistrate court erred by vesting legal custody of the children in IDHW at the adjudicatory hearing.

The Idaho Supreme Court rejected Parents’ challenge to law enforcement’s initial removal of the children and the magistrate court’s shelter care order and affirmed the magistrate court’s adjudicatory decree vesting temporary custody of the children with the IDHW. First, the Court declined to rule on whether law enforcement’s initial removal of the children violated Parents’ Fourth and Fourteenth amendment rights because Parents failed to raise the issue before the magistrate court and the factual record on the matter was never developed. Moreover, even if their challenge to the removal was considered, the Court held that Parents would not be entitled to dismissal of the CPA proceeding in the event the Court determined that the removal violated Parent’s constitutional rights. Second, the Court rejected Parent’s challenge to the magistrate court’s shelter care order because the order was not reviewable pursuant to Idaho Code section 16-1625(1) and because it presented a moot issue. The Court further determined that the lack of appellate review of the shelter care order did not violate Mother’s rights under the Fourteenth Amendment’s Due Process or Equal Protection Clauses. Finally, the Court affirmed the magistrate court’s adjudicatory decree vesting legal custody of the children in IDHW. The Court held, among other things, that the magistrate court’s finding that it was contrary to the welfare of the Children to be in their home with their Parents was supported by substantial and competent evidence based on the testimony from the four oldest children detailing multiple instances of violence inflicted on them by Parents over several years.

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