

SUMMARY STATEMENT

Idaho Dep't of Health and Welfare v. John Doe (2024-09)

Docket No. 51601

In this case arising out of Twin Falls County, the Court of Appeals affirmed the magistrate court's judgment terminating the parental rights of John Doe (2024-09). The magistrate court terminated Doe's parental rights after finding clear and convincing evidence that he neglected his children and that termination is in the children's best interests.

On appeal, Doe argued that the petition for termination was insufficient as it failed to allege neglect under I.C. § 16-1602(31) and, as a result, the magistrate court erroneously based its termination decision on that code section. Further, Doe argued that there was insufficient evidence in the record to support the magistrate court's termination decision because there was insufficient evidence that he had notice of the case plan tasks, which he was to complete and there was insufficient evidence that he neglected the children. Doe also argued that I.C. § 16-2002(3)(b) is unconstitutional as applied to the facts of his case. The Court of Appeals held: (1) Doe failed to show the allegations in the termination petition were insufficient; (2) Doe failed to show there was insufficient evidence to support the magistrate court's determination that he neglected his children as defined by I.C. § 16-2002(3)(b) and that, as such, it did not need to address whether there was sufficient evidence of neglect as defined by I.C. § 16-1602(31)(a); and (3) Doe's as-applied challenge to I.C. § 16-2002(3)(b) failed.

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