

SUMMARY STATEMENT
Jane Doe v. John Doe (2024-35)
Docket No. 52140

John Doe (Doe) and Jane Doe (Mother) are the biological parents of Jane Doe I (Child), who was born in 2012. Doe and Mother were married but divorced in 2015. Mother was awarded sole physical and legal custody of Child. In 2023, Mother sought to terminate Doe's parental rights. Following a trial, the magistrate court terminated Doe's parental rights on the grounds of abandonment. Further, the magistrate court found that termination is in Child's best interests.

On appeal, Doe argued that the magistrate court erred in finding termination is in Child's best interests. Specifically, Doe argued that in private terminations, it can never be in the best interests of a child to lose one parent without a prospective adoptive parent. Additionally, Doe argued that Child has a right to financial support from both parents which would be eliminated by termination of Doe's parental rights.

The Idaho Court of Appeals held that under Idaho Code §§ 16-2007 and 16-2008 private terminations are statutorily permitted without a prospective adoptive parent. In addition, the Court held that public policy does not prevent private termination of a parent's rights in the absence of a prospective adoptive parent.

Further, the Court held that sufficient and competent evidence supported the magistrate court's finding that termination of Doe's parental rights is in the best interests of Child. Doe's sole claim was that his potential to provide financial support for Child should outweigh the other factors addressed by the magistrate court. The Court noted that *In Matter of Doe* the Idaho Supreme Court held that the best interests analysis is expansive, which indicates that no single factor should be given more weight than others. *In Matter of Doe*, 164 Idaho 511, 516, 432 P.3d 60, 65 (2018). The Court of Appeals affirmed the magistrate court's judgment terminating Doe's parental rights to Child.

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