

SUMMARY STATEMENT

Ada County v. Browning, Docket No. 47984

The Idaho Supreme Court reversed the district court's decision denying Phillip Browning attorney fees under Idaho Code section 12-117 after he successfully defended an attempt by Ada County ("the County") to foreclose on a medical indigency lien on his home. Although the Court agreed that the County presented an issue of first impression, the Court held the County's position was unreasonable because medical indigency liens are statutory liens and statutory liens are subject to the three-year limitation period prescribed by Idaho Code section 5-218(1). The Court remanded for the district court to award Phillip reasonable attorney fees. The Court did not award Phillip attorney fees on appeal.

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