

BOISE, MONDAY, NOVEMBER 4, 2024, AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

JAMES WILSON,)	
)	
Petitioner-Counterdefendant-)	
Appellant,)	
)	
v.)	Docket No. 52131
)	
JILLIAN WILSON,)	
)	
Respondent-Counterclaimant-)	
Respondent on Appeal.)	
_____)	

Appeal from the Magistrate Court of the Fourth Judicial District of the State of Idaho, Ada County, Matthew C. Haynes, Magistrate Judge.

Gravis Law, PLLC, Boise, for Appellant.

Chaney Law Office, PLLC, Caldwell, for Respondent.

This is a direct appeal of a custody order granting relocation of a minor child to Australia with the child’s mother. James Wilson and Jillian Wilson have one minor child together. During a divorce proceeding, Jillian sought to relocate to Australia with the child to be closer to Jillian’s family. Both Jillian and the child are citizens of Australia. Following a trial on the matter and review of a parenting time evaluation, the magistrate court entered a custody order permitting Jillian to relocate to Australia with the child and granting James a two-week period of visitation during school breaks. The magistrate court also awarded Jillian sole legal custody as to educational and medical decisions (including mental health). James appealed directly to the Idaho Supreme Court.

On appeal, James contends the magistrate court abused its discretion by (1) allowing Jillian to relocate to Australia with the child, (2) limiting his physical custody to a two-week visitation period, and (3) awarding Jillian sole legal custody in educational and medical decisions. He argues the magistrate court’s findings regarding relocation are not based on substantial and competent evidence, and its decision to limit his legal and physical custody is not in the best interest of the child.