

SUMMARY STATEMENT

Uzzle v. Estate of Hirning

Docket No. 47449

This appeal arose out of the probate of Eric Milo Hirning's will ("the Will") and concerned a magistrate court's authority to conduct formal probate proceedings and approve an estate's final accounting and distribution. In an appeal from the Bingham County district court, acting in its appellate capacity, three beneficiaries of the Will, Cindy Louise Uzzle, John E. White, and Jody Hirning ("the Appellants"), challenged the procedural underpinnings of the district court's decision on appeal, the propriety of a magistrate court's order approving the Estate's final accounting and proposed distribution, and the district court's award of attorney's fees.

The Idaho Supreme Court affirmed the district court's decision upholding the magistrate court's order approving the Estate's final accounting and proposed distribution, but reversed the district court's grant of attorney's fees. First, the Court held that the procedural errors on intermediate appeal were harmless. Second, the Court held that the issue of breach of fiduciary duty had not been preserved for appeal. Third, the Court held that the district court did not err in affirming the magistrate court's acceptance of the Estate's final inventory and approval of the final accounting. Fourth, the Court held that the district court did not err in affirming the magistrate court's decision not to allow additional testimony. Fifth, the Court held that the district court did not err in affirming the magistrate court's conclusion that the sale of Mr. Hirning's real property was commercially reasonable. Sixth, the Court held that the district court erred in awarding attorney's fees on intermediate appeal and accordingly reversed that award. Finally, the Court declined to award either party attorney's fees for this 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.