

## SUMMARY STATEMENT

*O'Holleran v. O'Holleran*

Docket No. 48981-2021

The Idaho Supreme Court reversed the district court's decision affirming the magistrate court's award of tort damages to Christine O'Holleran following a court trial. This case arose from a divorce action between Thomas and Christine O'Holleran. After filing for divorce, Christine amended her divorce complaint to add a tort claim for emotional and physical abuse and sought damages in excess of \$10,000. The magistrate court awarded Christine \$20,000 in tort damages in its final judgment. The district court affirmed the award.

On appeal, Thomas argued the magistrate court did not have jurisdiction to decide Christine's tort claim, Christine failed to provide sufficient notice of the tort claim, and that the magistrate court's award was not supported by substantial and competent evidence.

The Supreme Court held that the magistrate court did not have authority to consider Christine's tort claim because the judicial district's local rules of assignment did not permit the tort claim to be assigned to the magistrate division of the district court and the tort claim was not an ancillary matter to the divorce action. Accordingly, the Court reversed the district court's decision affirming the magistrate court's award of damages on the tort claim and remanded the matter to the district court with instructions to vacate the judgment and remand the case to the magistrate court for further proceedings consistent with this opinion.

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