

SUMMARY STATEMENT

Jane Doe I and John Doe I v. John Doe

Docket No. 49529

This case involves a constitutional challenge to certain provisions of Idaho’s putative father registry. This case began when John Doe (“Father”) and Jane Doe (“Mother”) had Baby Doe in February 2021. Prior to Baby Doe’s birth, Father and Mother ended their relationship, but Father attended some prenatal appointments and attempted to maintain contact with Mother. After Baby Doe was born, Mother allowed Father to visit twelve separate times in the eight weeks following the birth. In early April, Father discovered that Mother and her father (Baby Doe’s grandfather, “Grandfather,”) filed an adoption petition for Grandfather to become the legal parent of Baby Doe alongside Mother. Three weeks later, without knowledge of the adoption petition, Father filed a petition to establish his paternity. Upon learning about the paternity petition, Mother stopped allowing Father to see Baby Doe and refrained from telling Father about the adoption petition. Father continued to try and gain access to Baby Doe, but Mother blocked his attempts.

Father brought this claim against Mother and Grandfather to establish his paternity and stop Grandfather from adopting Baby Doe. The magistrate court dismissed Father’s paternity petition under Idaho Code sections 16-1504(3)(b) and 16-1513, determining that Father had not (1) filed a paternity action prior to the filing of Grandfather’s adoption petition, (2) filed a notice of that action with the Idaho Department of Health Welfare, or (3) paid a reasonable portion of certain costs Mother incurred before filing the adoption petition. Based on this, the magistrate court held Father was forever barred from establishing paternity and dismissed his petition with prejudice.

Today, the Court holds that Idaho code sections 16-1504(3)(b) and 16-1513(4) are unconstitutional as applied to Father because they precluded the magistrate court from considering whether Father had acquired parental rights through his relationship with Baby Doe. The Court vacated the decision of the magistrate court and remanded the case for further proceedings.

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