

SUPREME COURT OF THE STATE OF IDAHO

John Doe I v. John Doe II

159 Idaho 461 (2015) · No. 43233 · Decided November 25, 2015

SUMMARY

The Idaho Supreme Court vacated an order terminating a biological father’s parental rights and a related decree of adoption. The court held that the magistrate court’s oral findings, which did not establish willful abandonment, conflicted with its later written decision finding abandonment, requiring remand for new findings of fact and conclusions of law.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	Horton, Justice; J. Jones, Chief Justice; Eismann, Justice; Burdick, Justice; W. Jones, Justice
JURISDICTION	Idaho
DECIDED	November 25, 2015
DOCKET	43233
DISPOSITION	vacated
PROCEDURAL POSTURE	John Doe II appealed the magistrate court's judgment terminating his parental rights and granting John Doe I's petition to adopt H.T.
STANDARD OF REVIEW	The Idaho Supreme Court independently reviews the magistrate court record, drawing reasonable inferences in favor of the magistrate court's judgment, and will not disturb a termination decision supported by substantial, competent evidence. Grounds for termination must be proved by clear and convincing evidence.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	John Doe II v. John Doe I

TOPICS

- termination of parental rights
- parental rights
- adoption
- appellate procedure
- standard of review

PRACTICE AREAS

- family law
- termination of parental rights
- adoption
- appellate procedure

QUESTIONS PRESENTED

1. Whether John Doe I had standing to petition for termination of John Doe II's parental rights.
2. Whether the magistrate court's findings supported termination of parental rights by clear and convincing evidence.
3. Whether the inconsistency between the magistrate court's oral findings and written conclusions required vacatur of the termination order and adoption decree.

HOLDINGS

1. The court declined to reach the challenge to John Doe I's standing under the in-loco-parentis provision because John Doe II failed to challenge the magistrate court's alternative determination that John Doe I possessed a legitimate interest in the matter.
2. The termination order and adoption decree had to be vacated because the magistrate court's oral findings contradicted its written decision regarding whether John Doe II's failure to maintain a parental relationship was willful.

KEY QUOTATIONS

“Nevertheless, the statute unambiguously requires that the failure to maintain a normal parental relationship be willful.” (at 4)

“The contradiction in findings is quite evidently the result of the trial judge’s willingness to let a pro se litigant do his job for him.” (at 5)

FACTUAL BACKGROUND

H.T. was the biological child of John Doe II and Jane Doe. John Doe II was incarcerated beginning in 2003 and was serving a twenty-four-years-to-life sentence, with earliest parole eligibility in 2028. Jane Doe later married John Doe I, who lived with Jane Doe and H.T.; contact between John Doe II and the child was minimal and infrequent, and John Doe II provided no child support. The magistrate court terminated John Doe II's parental rights and granted John Doe I's adoption petition, but its oral findings stated that willful abandonment had not been proven while its written decision found willful abandonment.

PROCEDURAL HISTORY

John Doe I petitioned to terminate John Doe II's parental rights based on abandonment and to adopt H.T. The magistrate court denied John Doe II's motion to dismiss for lack of standing, terminated his parental rights after trial, and entered a decree of adoption. John Doe II timely appealed, and the Idaho Supreme Court vacated the judgment and remanded for new findings of fact and conclusions of law.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The case is remanded to the magistrate court to prepare new findings of fact and conclusions of law and for further proceedings consistent with the opinion.

CASES CITED

- Dep't of Health & Welfare v. Doe, 149 Idaho 207, 210, 233 P.3d 138, 141 (2010)
- In re Doe (2014-17), 157 Idaho 694, 699, 339 P.3d 755, 760 (2014)
- In re Doe (2014-23), 157 Idaho 920, 923, 342 P.3d 632, 635 (2015)
- Doe v. Doe, 150 Idaho 46, 49, 244 P.3d 190, 193 (2010)
- Andersen v. Prof'l Escrow Servs., Inc., 141 Idaho 743, 746, 118 P.3d 75, 78 (2005)
- Sun Valley Shopping Center, Inc. v. Idaho Power Co., 119 Idaho 87, 93, 803 P.2d 993, 999 (1991)
- MacLeod v. Reed, 126 Idaho 669, 671, 889 P.2d 103, 105 (Ct. App. 1995)
- In re Adoption of Doe, 143 Idaho 188, 191, 141 P.3d 1057, 1060 (2006)
- Idaho Dep't of Health & Welfare v. Doe, 150 Idaho 36, 41, 244 P.3d 180, 185 (2010)