

SUPREME COURT OF IDAHO

Idaho Dep't of Health & Welfare v. Doe (In re Doe)

425 P.3d 1241 (Idaho 2018) · No. 45884 · Decided September 7, 2018

SUMMARY

The Idaho Supreme Court affirmed termination of John Doe’s parental rights to his minor child. The court held that substantial and competent evidence supported findings that Doe was likely to remain incarcerated for a substantial period during the child’s minority and that termination was in the child’s best interests. The court declined to reweigh the evidence and did not address other statutory grounds for termination.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Brody, Justice; Burdick, Chief Justice; Horton, Justice; Bevan, Justice; Stegner, Justice
JURISDICTION	Idaho
DECIDED	September 7, 2018
DOCKET	45884
DISPOSITION	affirmed
PROCEDURAL POSTURE	John Doe appealed from the magistrate court's judgment terminating his parental rights to his minor child.
STANDARD OF REVIEW	The Idaho Supreme Court independently reviews the magistrate court record but draws all reasonable inferences in favor of the magistrate court's judgment. A termination decision will not be disturbed if supported by substantial and competent evidence. Termination requires clear and convincing evidence.
PRECEDENTIAL VALUE	published and precedential Idaho Supreme Court opinion
PARTIES	John Doe (2018-17) v. Idaho Department of Health and Welfare

TOPICS

- termination of parental rights
- parental rights
- family law procedure
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether substantial and competent evidence supported the finding that Doe was likely to remain incarcerated for a substantial period of the child's minority under Idaho Code section 16-2005(1)(e).
2. Whether substantial and competent evidence supported the finding that termination of Doe's parental rights was in the child's best interests.

HOLDINGS

1. Substantial and competent evidence supported the magistrate court's determination that Doe would likely remain incarcerated for a substantial period during J.G.'s minority.
2. Substantial and competent evidence supported the magistrate court's determination that termination of Doe's parental rights was in J.G.'s best interests.

KEY QUOTATIONS

"We affirm the judgment of the magistrate court because there is substantial and competent evidence to support the magistrate court's determination that Doe will likely be incarcerated during a substantial period of time during J.G.'s minority and that termination is in the child's best interests." (425 P.3d at 1241)

"This Court will not disturb a lower court's decision to terminate parental rights if substantial, competent evidence in the record supports the decision." (425 P.3d at 1242)

"Ultimately, the magistrate concluded that the likelihood of Doe's early release is pure speculation." (425 P.3d at 1243)

FACTUAL BACKGROUND

John Doe was the biological father of J.G., who was conceived shortly before Doe began serving a thirty-five-year Oklahoma prison sentence and was born in 2011. Doe saw J.G. once when she was less than twenty months old, and J.G. later moved to Idaho with her mother. After law enforcement removed J.G. and her half-brother from their mother's care, the children were placed in state custody and J.G. eventually lived in a stable, pre-adoptive foster home. The magistrate court found that Doe would likely remain incarcerated for a substantial period of J.G.'s minority and that terminating his parental rights was in J.G.'s best interests.

PROCEDURAL HISTORY

The Idaho Department of Health and Welfare obtained legal custody of the child after the child was removed from the mother's care. Following a termination hearing, the magistrate court found that Doe would likely remain incarcerated for a substantial period during the child's minority and that termination was in the child's best interests. Doe appealed to the Idaho Supreme Court, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Santosky v. Kramer, 455 U.S. 745, 753 (1982)
- Idaho Dep't of Health & Welfare v. Doe (2015-01), 158 Idaho 764, 767, 351 P.3d 1222, 1225 (2015)
- In re Doe (2014-26), 158 Idaho 548, 552, 348 P.3d 163, 167 (2015)
- Idaho Dep't of Health & Welfare v. Doe (2017-4), 162 Idaho 266, 269, 396 P.3d 695, 698 (2017)
- In re Doe (2014-15), 157 Idaho 765, 772, 339 P.3d 1169, 1176 (2014)
- In re Doe (2013-15), 156 Idaho 103, 111, 320 P.3d 1262, 1270 (2014)
- In re Aragon, 120 Idaho 606, 611, 818 P.2d 310, 315 (1991)

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