

SUPREME COURT OF NORTH DAKOTA

Interest of M.S.H. and P.S.H.

2026 ND 44 · No. Nos. 20250421-20250422 · Decided February 19, 2026

SUMMARY

The North Dakota Supreme Court dismissed K.S.H.’s appeal from an order denying her motion to reform a request for district court review in a termination of parental rights proceeding. The court held that the appeal was untimely because it was filed more than 30 days after the final order terminating parental rights. The court therefore lacked jurisdiction to consider the appeal.

CASE DETAILS

COURT	Supreme Court of North Dakota
WRITING FOR THE COURT	Jon J. Jensen, Justice; Lisa Fair McEvers, Chief Justice; Daniel J. Crothers, Justice; Jerod E. Tufte, Justice; Douglas A. Bahr, Justice
JURISDICTION	Supreme Court of North Dakota
DECIDED	February 19, 2026
DOCKET	Nos. 20250421-20250422
DISPOSITION	dismissed
PROCEDURAL POSTURE	K.S.H. appealed from an order denying her motion to reform a document requesting district court review of a juvenile court order terminating her parental rights. The North Dakota Supreme Court dismissed the appeal for lack of jurisdiction because the appeal was filed more than 30 days after the termination order became final.
PRECEDENTIAL VALUE	published
PARTIES	K.S.H., mother v. State of North Dakota

TOPICS

- termination of parental rights
- appellate jurisdiction
- final judgment rule
- appellate procedure
- family law procedure

PRACTICE AREAS

- family law
- appellate procedure
- juvenile law

QUESTIONS PRESENTED

1. Whether the Supreme Court had jurisdiction over an appeal filed more than 30 days after an order terminating parental rights became final.
2. Whether a post-deadline motion to reform a request for district court review could extend the time for appeal, create an exception to the mandatory appellate deadline, or permit a collateral attack on the termination order.

HOLDINGS

1. The Supreme Court lacks jurisdiction to consider an appeal from an order terminating parental rights when the appeal is not filed within the mandatory 30-day period.
2. A motion to reform a document filed after the appeal deadline does not extend the time for appeal, create an exception to the mandatory deadline, or provide a means to collaterally attack a final termination order.

KEY QUOTATIONS

“This Court lacks jurisdiction to consider an appeal filed more than 30 days following entry of an order terminating parental rights.” (¶ 7)

“Absent a timely appeal or retention of custody of the child, an order terminating parental rights “may not be questioned by any person, including the petitioner, in any manner, or upon any ground” (¶ 9)

FACTUAL BACKGROUND

The State petitioned to terminate K.S.H.'s parental rights to her two children, M.S.H. and P.S.H. The juvenile court terminated her rights on April 30, 2025, and the district court later denied her request for review, concluding that the request was procedurally noncompliant and that the termination order was final. More than 30 days after the termination order became final, K.S.H. sought to reform her review request and appealed the denial of that motion.

PROCEDURAL HISTORY

The juvenile court entered orders terminating K.S.H.'s parental rights on April 30, 2025. K.S.H. filed a letter requesting district court review and later filed a notice of appeal, but the Supreme Court dismissed that appeal because the district court review request was pending. The district court denied review on August 7, 2025, stating that the referee's termination order was final; K.S.H. did not appeal that order. She later moved to reform the review request, and after the district court denied that motion, she filed the present appeal on December 1, 2025.

DISPOSITION

dismissed

CASES CITED

- Interest of J.C., 2024 ND 9, ¶ 6, 2 N.W.3d 228
- Interest of B.F., 2025 ND 127, ¶¶ 27-28, 23 N.W.3d 718
- Interest of T.S.C., 2018 ND 76, ¶¶ 4-7, 908 N.W.2d 754
- Interest of C.A.S., 2023 ND 122, ¶ 3, 993 N.W.2d 347
- Jacobs-Raak v. Raak, 2020 ND 107, ¶ 18, 942 N.W.2d 879
- Morley v. Morley, 440 N.W.2d 493, 495 (N.D. 1989)

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