

SUMMARY STATEMENT

IDHW v. Doe (2017-03), Docket No. 44764

In a second appeal from Canyon County, the Supreme Court affirmed the magistrate court's judgment terminating Jane Doe's parental rights to her son, M.R. In the first appeal, the Supreme Court vacated the judgment terminating Doe's parental rights and remanded for further findings of fact and conclusions of law as to whether it was impossible for Doe to comply with the terms of her case plan.

On remand, the magistrate court made additional findings and again concluded that it was appropriate to terminate Doe's parental rights. The Supreme Court found that substantial and competent evidence supported the magistrate court's finding of neglect based upon Doe's failure to comply with her case plan. The Supreme Court further found that substantial and competent evidence supported the magistrate court's finding that it was not impossible for Doe to comply with the case plan. Finally, the Court rejected Doe's effort to relitigate the issue whether termination of Doe's parental rights was in M.R.'s best interests because the issue was decided in the first appeal and was therefore the law of the case.