

Idaho CPS Stifles Private Legal Adoption

Idaho Child Protective Services (CPS) is being accused of illegally thwarting a private adoption and violating parental rights.

COEUR D'ALENE, IDAHO, USA,
December 7, 2022 /EINPresswire.com/
-- Before baby Lily was born, mother Jerica Marseguerra made a formal adoption agreement with her cousin, Rachel Templeton and her husband, Trevor Templeton, who reside in Indiana.



The Templeton family including baby Lily.

Lily was born on Dec. 9, 2021 and removed from her birth mother, Jerica Marseguerra, by Idaho CPS and placed with a foster home despite being notified of a pre-existing, legally executed adoption agreement. Idaho CPS refused to recognize the original adoption agreement between Marseguerra and the Templetons.

“

Trevor and I, and our boys, will be heartbroken if Lily won't spend another Christmas with us. She won't be with family again.”

Rachel Templeton

Deputy Attorney General, Denise Rosen, attorney for CPS, shared, “It is unfortunate that this private adoption was interrupted with a child protection case. It will now need to wind its way through the system”.

However, Rosen's statement appears to contradict the [state of Idaho, Title 16 Juvenile Proceedings, chapter 16-1602, 41](#), which states, “Residual parental rights and responsibilities” means those rights and responsibilities remaining with the parent after the transfer of legal custody, including but not necessarily limited to the right of visitation, the right to consent to adoption, the right to determine religious affiliation, the right to family counseling when beneficial, and the responsibility for support”.

The Templetons had furnished all the necessary documents before Lily was born, including a home study that finalized their qualifications for adoption. After Idaho CPS stepped in, they followed instruction by Idaho CPS in hopes of simplifying the unexpected new process to adopt Lily while also trusting staff conversations, which led them to believe they were actively working

to place Lily with them.

“Trevor and I, and our boys, will be heartbroken if Lily won’t spend another Christmas with us. She won’t be with family again,” shares Rachel Templeton.

With nearly a year of hearings, a newly implemented gag order instituted, a dismissed adoption by Judge Anna Eckhart, Kootenai County Juvenile Justice, and a hearing delayed until late Feb, 2023. It appears Idaho CPS is attempting to circumvent parental rights.

When Idaho CPS facilitates an adoption, they receive Title IV-E funding through the Fostering Connections Act. The Templeton’s adoption with mother Marseguerra is considered private; Idaho CPS would not be entitled to collect funds.

Marseguerra confirms she wants her daughter to be adopted by the Templeton’s and retains parental rights as described in Idaho’s Juvenile Proceedings.

References:

Case Number CV28-22-4268
Kootenai County Juvenile Justice Court
Coeur d’Alene, Idaho

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Supporters gather at rally for baby Lily and the Templeton family in Coeur d’Alene, Idaho.



Supporters surround the courthouse for baby Lily and the Templeton family in Coeur d’Alene, Idaho.

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