

BOISE, WEDNESDAY, OCTOBER 7, 2026 AT 8:45 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

In Re: Certification of Question of Law.)

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LISA TRIPLETT, individually and as Special)

Administrator for the Estate of Donald Scott)

Macrae; AMANDA KEECH, JESSICA)

WEAVER, JEREMY MACRAE,)

NICHOLAS BONOMO, VINCENT)

BONOMO, JUSTIN MACRAE,)

)

Plaintiffs-Appellants,)

Docket No. 53831

)

v.)

)

BRYAN GREY, individually and McCALL)

AVIATION Inc., an Idaho Corporation,)

)

Defendants-Respondents.)

)

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PATRICIA RICHARDSON, mother of)

DONALD SCOTT MACRAE, deceased,)

)

Plaintiff,)

)

v.)

)

BRYAN GREY, individually and McCALL)

AVIATION Inc., an Idaho Corporation,)

)

Defendants.)

Certified Question of law from the United States District Court for the District of Idaho David C. Nye, U.S. District Judge.

Hepworth Holzer, LLP, Boise, for Appellants.

Hawley Troxell Ennis & Hawley LLP, Boise, for Respondents.

This case involves a certified question of law pertaining to the word “stepchildren” in Idaho’s wrongful death statute, Idaho Code section 5-311. Section 5-311 allows a decedent’s heirs or personal representative to maintain an action against the person who caused the decedent’s

death. In pertinent part, subsection two of the statute defines “heirs” as: “(b) the decedent’s spouse, children, stepchildren, parents, and, when partly or wholly dependent on the decedent for support or services, any blood relatives and adoptive brothers and sisters.” I.C. § 5-311(2)(b). The United States District Court for the District of Idaho certified the following question to the Idaho Supreme Court:

Whether the stepparent/stepchild relationship involving the first stepchild (Jessica) terminated at the time of the mother and stepfather’s divorce. That is, under Idaho Code § 5-311, does the step relationship between stepparent and stepchild terminate at the divorce of the parent and stepparent or does it continue despite the dissolution of the marriage?

Appellants request that the Idaho Supreme Court answer the certified question by holding that the stepparent-stepchild relationship under section 5-311 does not terminate upon the divorce of the stepparent from the stepchild’s biological parent based on section 5-311’s plain language and remedial purpose. Respondents request that Court hold that the stepparent-stepchild terminates upon divorce because section 5-311’s plain language and legislative history do not support an interpretation of “former stepchildren.”