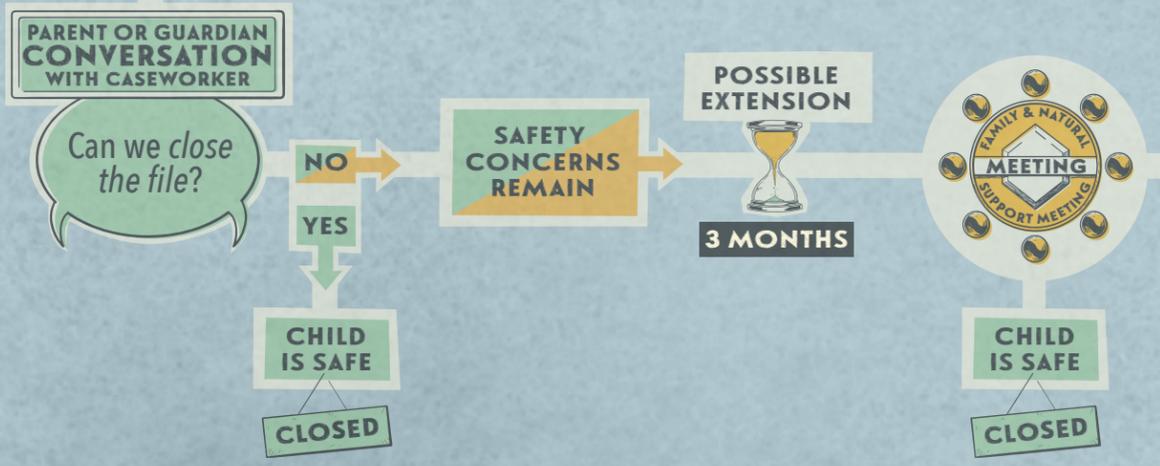




NAVIGATING

ALBERTA CHILDREN'S SERVICES

MAP SERIES



DEVELOPED IN PARTNERSHIP BY



Navigating Alberta Children's Services is a series of 8 Maps that follow legal routes through the Children's Services system. The maps were developed in partnership between Native Counselling Services of Alberta and the Ministry of Children's Services.

The maps are a tool that can be used by individuals and their caseworkers, or other professionals, to help identify where they are in "the system" and upcoming options.

The maps reflect current practice in Alberta and align with recent Federal legislation Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families.

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GUIDING PRINCIPLES

THE CHILD'S BEST INTEREST

ENSURE SAFETY AND WELL-BEING OF THE CHILD

ONGOING ASSESSMENT FOR THE CHILD TO RETURN HOME

RELATIONSHIPS WITH FAMILY, SIBLINGS AND COMMUNITY

CONNECTION TO CULTURE, LANGUAGE AND TERRITORY

INDIGENOUS COMMUNITY INVOLVEMENT IN PLANNING AND DECISIONS



INSTRUCTIONS

1. Review the 8 map titles below and determine the most relevant map to your individual situation



2. Go to that map and follow the route from the beginning
3. Explore upcoming options and opportunities
4. Take notes and create a To-Do List

*If you don't know where to start, go to Map #1 – Investigation and begin there. Explore routes and maps you are interested in learning more about.

These maps are not legal advice.
They are designed as a guide and present common situations and outcomes. If you require legal advice, please contact a Lawyer or Legal Aid Alberta.

Alberta Children's Services INVESTIGATION

MAP #1

BEGIN HERE

CALL TO CHILDREN'S SERVICES

Concerns about the:

Safety, Security or Development of a Child

CHILDREN'S SERVICES ASSESSMENT

CHILDREN'S SERVICES DECISION

CHILD IS SAFE

CLOSED

CHILD SAFETY CONCERNS

OPEN INVESTIGATION

CHILDREN'S SERVICES DECISION

CHILD AT IMMEDIATE RISK

SAFETY CONCERNS WITH NO IMMEDIATE RISK

REPORT

- Adequate Food, Clothing & Shelter?
- Family Violence?
- Alcohol or Drug Abuse?
- Physical Injury?
- Emotional Injury?

APPREHENSION

GO TO MAP #2

Alberta Children's Services INTERVIEWS THROUGHOUT INVESTIGATION

- Child
- Family Members
- Teacher
- Police

TIP

STAY POSITIVE AND CONNECTED

- Attend all meetings
- Make own decisions
- Stay in contact with Caseworker



FAMILY & NATURAL SUPPORT MEETING

Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can *begin with prayer or ceremony*
- Discuss strengths & recognize worries
- Gather information and create a plan for the child
- Identify goals & next steps
- *Intentionally search* for family members and connect children and their families (This is an ongoing effort throughout involvement)

A Family & Natural Support Meeting is required before bringing a child into care. A meeting can be requested at any stage of involvement

IS THE GUARDIAN NOTIFIED about the report?

YES

NO

REASONS

- May create *higher risk* for child
- May *interfere* with the investigation

SAFETY PLAN

CHILDREN'S SERVICES DECISION

CHILD IS SAFE

CLOSED

SAFETY CONCERNS

OPEN FILE



MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services

GO TO MAP #3

AGREEMENT

INVESTIGATION ENDS

NO AGREEMENT

ONE-TIME SUPPORT FROM CHILDREN'S SERVICES

BRIEF SERVICES

CLOSED

REFERRAL to Community Agencies and Programs (To address concerns such as poverty and lack of housing)

CLOSED

GO TO MAP #5

COURT APPLICATION

SUPERVISION ORDER

GO TO MAP #6

COURT APPLICATION

TEMPORARY GUARDIANSHIP ORDER



CALL TO CHILDREN'S SERVICES
Concerns about the:
Safety, Security or Development of a Child

CHILDREN'S SERVICES ASSESSMENT

CHILD'S SERVICES DECISION
CHILD IS SAFE
CLOSED

CHILD SAFETY CONCERNS
OPEN INVESTIGATION

CHILD'S SERVICES DECISION
SAFETY CONCERNS WITH NO IMMEDIATE RISK

GO TO MAP #1

CHILD AT IMMEDIATE RISK

EMERGENCY RESPONSE REQUIRED

- Family Violence?
- Physical Injury?
- Emotional Injury?
- Alcohol or Drug Abuse?

EMERGENCY APPREHENSION MAY OCCUR

Child cannot be apprehended solely on the basis of:

- Poverty
- Lack of adequate housing
- Health of parent or care provider

Alberta Children's Services INTERVIEWS THROUGHOUT INVESTIGATION

- Child
- Family Members
- Teacher
- Police

EMERGENCY ACCOMMODATION
Child or Guardian may identify where child can stay on emergency basis

CHILD'S IDENTITY

- Indigenous Family, Community and Territory
- Age
- Spiritual/Cultural Beliefs
- Gender Identity
- Sexual Orientation

CHILD OF YOUTH OPINION

- Conversations
- Meetings

CHILD REMOVED FROM HOME
Things to **CONSIDER** when deciding where to place the child.

GUARDIAN SERVED:
APPREHENSION ORDER
COURT DATE SET

NOTICE provided to:

- Parents or kinship caregivers
- Parents who are not guardians
- The child's First Nation Band or Indigenous Governing Body (elected leadership or designated authority)

Anybody who receives notice has the right to be represented and speak in court

ORDER GRANTED

JUDGE DECISION

CHILD IS AT RISK

CHILD'S SERVICES DECISION
CHILD IS SAFE
CLOSED

PLACEMENT PRIORITY

1. One of the *child's* parents
2. Family member
3. Same Indigenous group as the child
4. Within another Indigenous group
5. Non-Indigenous caregiver



IGB INDIGENOUS GOVERNING BODY
The IGB can help to connect children to family, community and culture

FAMILY & NATURAL SUPPORT MEETING
REQUIRED within **48 hours** of an apprehension

Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can begin with prayer or ceremony
- Discuss strengths & recognize worries
- Gather information and create a plan for the child
- Identify goals & next steps
- Intentionally search for family members and connect children and their families

COURT APPLICATION
TEMPORARY GUARDIANSHIP ORDER
GO TO MAP #6

CONFIRM ARRANGEMENTS

CHILD IS AT RISK

END

CHILD IS SAFE TO RETURN HOME

CLOSED

OR

GO TO MAP #3

MAKE A FAMILY ENHANCEMENT AGREEMENT
with Alberta Children's Services

COURT APPLICATION
SUPERVISION ORDER

GO TO MAP #5

LAWYER OPTIONAL
All Children and Guardians have the Legal Right to contact a Lawyer

Legal Aid Alberta OPTIONAL
Legal Assistance may be provided for Family Law issues. Legal Aid is not free and is only available for those whose income falls under a certain amount
www.legalaid.ab.ca
1-866-845-3425

NCSA OPTIONAL
Indigenous agency providing Court Work Services, Family Support & Education Programs. All services are free. Courtworkers cannot provide legal advice
www.ncsa.ca

TIP STAY POSITIVE AND CONNECTED

- Attend all meetings
- Make own decisions
- Stay in contact with Caseworker

MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services

Do the Guardian and Children's Services agree to address safety concerns with the child at home?

AGREE TO ADDRESS CONCERNS WITH CHILD NOT AT HOME

MAKE A CUSTODY AGREEMENT with Alberta Children's Services GO TO MAP #4



- Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)
- Meeting can begin with prayer or ceremony
 - Discuss strengths & recognize worries
 - Gather information and create a plan for the child
 - Identify goals & next steps
 - Intentionally search for family members and connect children and their families

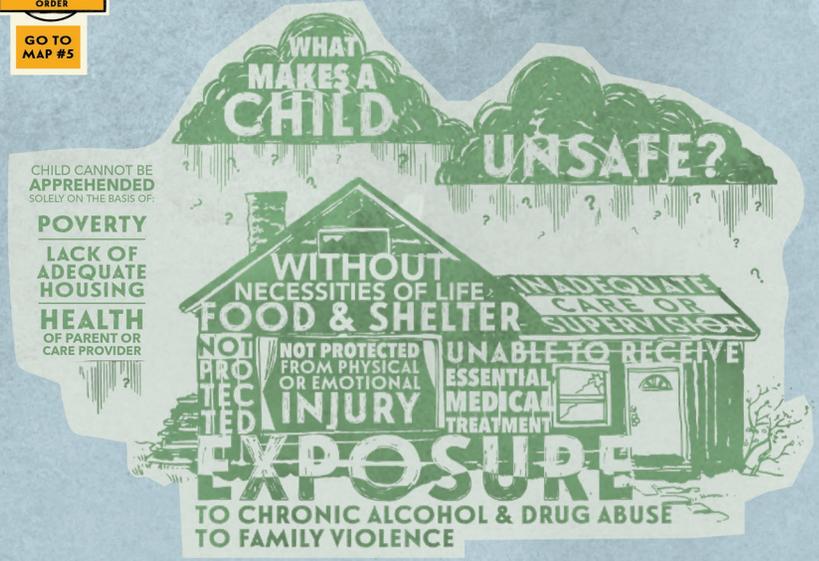
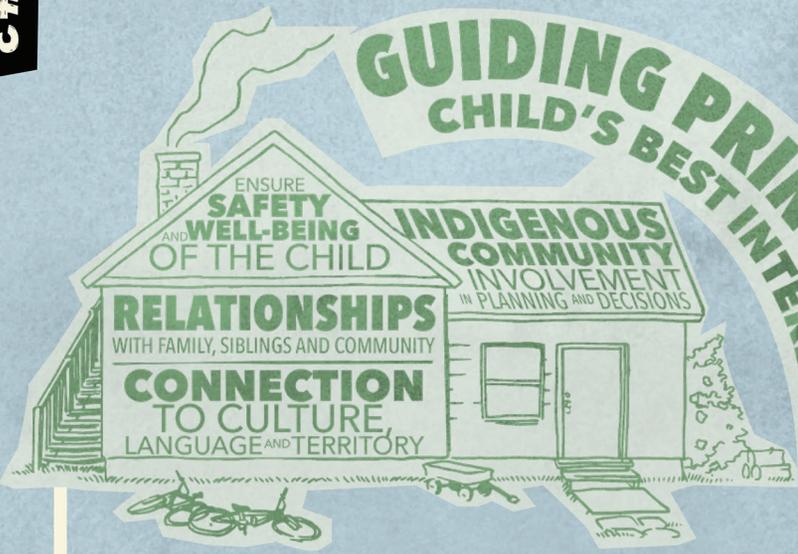
FAMILY ENHANCEMENT AGREEMENT (FEA)

- BETWEEN CHILD'S GUARDIAN & CHILDREN'S SERVICES
- This Agreement includes **plans and decisions** about the child's safety
 - Guardians will work with Children's Services on making a **realistic and positive** plan
 - FEA is a **less intrusive measure** that keeps the child with their family by providing support and referrals for services to ensure the safety and well-being of the child

USUAL LENGTH
3 MONTHS



GUIDING PRINCIPLES CHILD'S BEST INTEREST



PARENT OR GUARDIAN CONVERSATION WITH CASEWORKER

Can we close the file?

NO

YES

CHILD IS SAFE

CLOSED

SAFETY CONCERNS REMAIN

POSSIBLE EXTENSION
3 MONTHS



FINAL EXTENSION
3 MORE MONTHS

MAXIMUM AGREEMENT LENGTH
9 MONTHS

FEA ENDS

CHILD IS SAFE

CLOSED

CHILD IS NOT SAFE



MAKE A CUSTODY AGREEMENT with Alberta Children's Services

MAP #4



NOTICE PROVIDED TO:

- Parents or kinship caregivers
- Parents who are not guardians
- The child's First Nation Band or Indigenous Governing Body (elected leadership or designated authority)

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Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can begin with prayer or ceremony
- Discuss strengths & recognize worries
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IGB INDIGENOUS GOVERNING BODY

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LAWYER OPTIONAL

All Children and Guardians have the Legal Right to contact a Lawyer

NCSA NCSCA OPTIONAL

Indigenous agency providing Court Work Services, Family Support & Education Programs. All services are free. Courtworkers cannot provide legal advice www.ncsa.ca

CUSTODY AGREEMENT

THE GUARDIAN AGREES THE DIRECTOR MAY DECIDE ABOUT:

- Child or youth's **daily routine**
- Ordinary **medical or dental care**
- Emergency medical treatment
- Recreational** activities
 - Enrol child in **school**
- Religious or cultural activities
- Consent to **employment**

Family Time/Access
Negotiated to meet the needs of the child

MAXIMUM AGREEMENT LENGTH
Under 6 years of age = **9 MONTHS**
6 years of age & older = **1 YEAR**

PLACEMENT PRIORITY

- One of the *child's* parents
- Family member
- Same *Indigenous* group as the child
- Within *another Indigenous* group
- Non-Indigenous* caregiver

CHILD'S IDENTITY

- Indigenous Family, Community and Territory
 - Age
- Spiritual/Cultural Beliefs
 - Gender Identity
 - Sexual Orientation



CHILD OF YOUTH OPINION

- Conversations
- Meetings

Things to **CONSIDER** when deciding where to place the child.



MAXIMUM AGREEMENT LENGTH

Under 6 years of age = **9 MONTHS**
6 years of age & older = **1 YEAR**



CHILD SAFE TO RETURN HOME → CLOSED

SAFETY CONCERNS AT HOME

COURT APPLICATION TEMPORARY GUARDIANSHIP ORDER → GO TO MAP #6

GO TO MAP #3

MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services

COURT APPLICATION SUPERVISION ORDER → GO TO MAP #5



COURT APPLICATION

SUPERVISION ORDER

MAP #5

PARENT OR GUARDIAN CONVERSATION WITH CASEWORKER

Can we make an agreement & avoid Court?

NO
YES

MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services
GO TO MAP #3



GUARDIAN SERVED:
SUPERVISION ORDER
COURT DATE SET

NOTICE provided to:

- Parents or kinship caregivers
- Parents who are not guardians
- The child's First Nation Band or Indigenous Governing Body (elected leadership or designated authority)

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Legal Aid Alberta
OPTIONAL
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www.legalaid.ab.ca
1-866-845-3425

CHILD REQUIRES SCHEDULED SUPERVISION AT HOME

USUAL ORDER LENGTH
6 MONTHS

SUPERVISION ORDER GRANTED

JUDGE DECISION

ATTEND COURT DATE

TIP
STAY POSITIVE AND CONNECTED

- Attend all meetings
- Make own decisions
- Stay in contact with Caseworker

NCSA
OPTIONAL
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SUPPORT
A Supervision Order is a measure that keeps the child with their family by providing support and referrals to services to ensure safety and well-being of the child



Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can begin with prayer or ceremony
- Discuss strengths & recognize worries
- Gather information and create a plan for the child
- Identify goals & next steps
- Intentionally search for family members and connect children and their families



MAXIMUM ORDER LENGTH
1 YEAR

GO TO MAP #6



TEMPORARY GUARDIANSHIP ORDER

ORDER CONDITIONS NOT SATISFIED

JUDGE DECISION

ORDER CONDITIONS SATISFIED

CLOSED

OR

GO TO MAP #3
MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services

6 MONTHS

PARENT OR GUARDIAN CONVERSATION WITH CASEWORKER

Can we close the Supervision Order?

NO
YES

ORDER CONDITIONS SATISFIED
CLOSED

MAKE A FAMILY ENHANCEMENT AGREEMENT with Alberta Children's Services
GO TO MAP #3

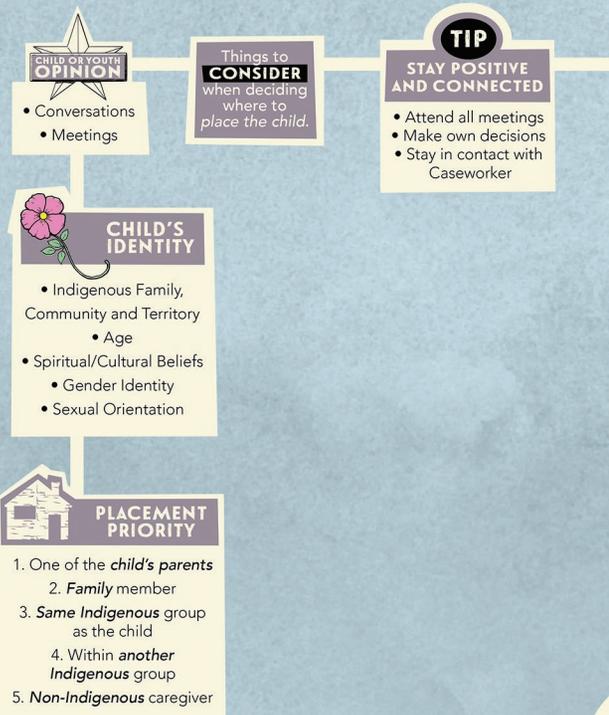
POSSIBLE EXTENSION
6 MONTHS



COURT APPLICATION

TEMPORARY GUARDIANSHIP ORDER

MAP #6



TEMPORARY GUARDIANSHIP ORDER (TGO)

CHILDREN'S SERVICES (DIRECTOR) HAS CUSTODY OF THE CHILD FOR LENGTH OF ORDER

- Guardian may help decide **where child can stay**
- Guardian may be responsible for some **child care costs**
 - Family Time/Access Negotiated to meet the needs of the child

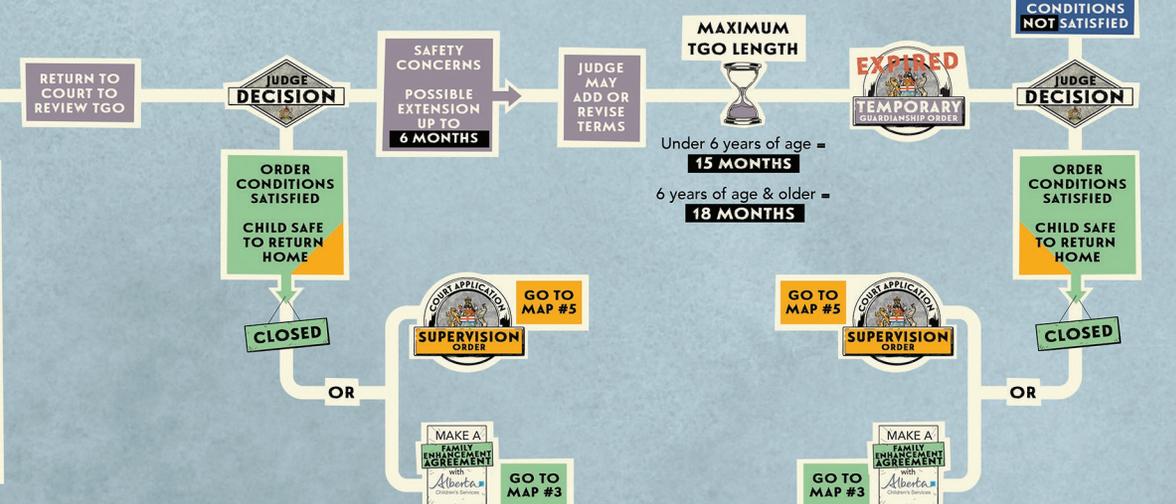
ORDER LENGTH
 6 years of age & older = **1 YEAR**
 Under 6 years of age = **9 MONTHS**



FAMILY & NATURAL SUPPORT MEETING

Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can **begin with prayer or ceremony**
- Discuss strengths & recognize worries
- Gather information and create a plan for the child
- Identify goals & next steps
- Intentionally search** for family members and connect children and their families



GO TO MAP #7 COURT APPLICATION PERMANENT GUARDIANSHIP ORDER

COURT APPLICATION

PERMANENT GUARDIANSHIP ORDER

MAP #7

MOST LIKELY SCENARIO
Child has already been removed from home

EXPIRED
TEMPORARY GUARDIANSHIP ORDER

CHILDREN'S SERVICES
DECISION

CHILD NOT LIKELY TO RETURN HOME

GUARDIAN SERVED:
PERMANENT GUARDIANSHIP ORDER (PGO)

COURT DATE SET

NOTICE provided to:

- Parents or kinship caregivers
- Parents who are not guardians
- The child's First Nation Band or Indigenous Governing Body (elected leadership or designated authority)

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PLACEMENT PRIORITY

1. One of the *child's* parents
2. Family member
3. *Same Indigenous* group as the child
4. Within *another Indigenous* group
5. *Non-Indigenous* caregiver

CHILD'S IDENTITY

- Indigenous Family, Community and Territory
 - Age
- Spiritual/Cultural Beliefs
 - Gender Identity
 - Sexual Orientation

CHILD OR YOUTH OPINION

- Conversations
- Meetings

Things to **CONSIDER** when deciding where to place the child.

PERMANENT GUARDIANSHIP ORDER (PGO)

APPOINTS DIRECTOR AS GUARDIAN OF CHILD

- Parental **Rights and Responsibilities to child terminated**
- Include any **Family Time or Access** that has been negotiated to connect the child with significant relationships (i.e. parents, siblings, grandparents, aunts, uncles, friends, community members)
- **Children over 12 must consent** to any access

GO TO MAP #5
COURT APPLICATION
SUPERVISION ORDER

CHILD SAFE TO RETURN HOME

JUDGE DECISION

ATTEND COURT DATE

CHILD NOT SAFE TO RETURN HOME

NCSA
OPTIONAL

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Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can **begin with prayer or ceremony**
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- Identify goals & next steps
- **Intentionally search** for family members and connect children and their families



PGO STAYS IN EFFECT UNTIL 18TH BIRTHDAY

EXPIRED
PERMANENT GUARDIANSHIP ORDER

TRANSITION TO ADULTHOOD

SUPPORT & FINANCIAL ASSISTANCE
Agreement (until age 22)
OPTIONAL

CHILDREN'S SERVICES
DECISION

APPLY FOR CHILD TO RETURN HOME

JUDGE DECISION

APPLICATION GRANTED
CHILD SAFE TO RETURN HOME
PGO TERMINATED

APPLICATION DENIED
PGO STAYS IN EFFECT

APPLICATION DENIED
PGO STAYS IN EFFECT

JUDGE DECISION

After **2 YEARS** Apply to terminate order

CHILD SAFE TO RETURN HOME
PGO TERMINATED

APPLICATION DENIED

JUDGE DECISION

After **1 YEAR** Apply to terminate order

CHILD SAFE TO RETURN HOME
PGO TERMINATED

APPEAL DENIED

JUDGE DECISION

After **30 DAYS**

CHILD SAFE TO RETURN HOME
PGO TERMINATED

APPEAL

After **30 DAYS**

PRIVATE GUARDIANSHIP ORDER

GO TO MAP #8

ADOPTION (NOT REVERSIBLE)
PGO TERMINATED

OR

DIRECTOR APPLICATION

PRIVATE GUARDIANSHIP ORDER

MAP #8

Are you the current caregiver and willing and able to be the child's guardian?

YES

NO

PERMANENT GUARDIANSHIP ORDER
MOST LIKELY SCENARIO FOR CHILD

If you are *not* the current caregiver you may still apply for a Private Guardianship Order

Does Children's Services Support your plan for Private Guardianship?

YES

NO

You may still make a **Direct Application** for a Private Guardianship Order

Work with Caseworker to identify and invite people who care about the child to come to the meeting (may include Indigenous Governing Body)

- Meeting can **begin with prayer or ceremony**
- Discuss strengths & recognize worries
- Gather information and create a plan for the child
- Identify goals & next steps
- **Intentionally search** for family members and connect children and their families



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OPTIONAL

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OPTIONAL

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www.legalaid.ab.ca
1-866-845-3425

Learn more about **Direct Applications** with this **PRIVATE GUARDIANSHIP SELF-HELP GUIDE**
<https://open.alberta.ca/publications/private-guardianship-self-help-guide>

NCSA
Indigenous agency providing Court Work Services, Family Support & Education Programs. All services are free. Courtworkers cannot provide legal advice
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INFORMATION SHARING by Alberta Children's Services

HISTORY of child

SCHOOL & MEDICAL RECORDS

HOME STUDY OR ADDENDUM APPROVED

HOME STUDY OR ADDENDUM NOT APPROVED

You may still make a **Direct Application** for a Private Guardianship Order

Children's Services will complete an Addendum to previous **Home Study Report**

NEW CHILDREN'S SERVICES
Home Study Report

Do you already have a **Children's Services Approved Home Study Report**?

Complete Application to provide **Legal Permanency** for the child

The 3-month requirement for a Private Guardianship Order may be waived in court if it is in the **best interest of the child**

Has the child lived with you for the **LAST 3 MONTHS**?

Does Children's Services Support your plan for Private Guardianship?

IS THE CHILD INDIGENOUS?

- Status First Nation
- Non-Status First Nation
- Métis
- Inuit

YES OR NOT SURE

CULTURAL CONNECTION PLAN

- Check for **Registered Indian Status** or **Métis Settlement Affiliation**
 - How is the child's **Cultural Connection** being supported long-term?
- The plan needs to be detailed and specific to the child or youth
- Preserve Indigenous **identity, culture, language and spirituality**
- Commitments that have been made

NEGOTIATE
SUPPORTS FOR PERMANENCY

FOR EXAMPLE:

- Maintenance Payments
- Respite Care
- Funding for Activities
- **Cultural Contact Funding**

Discuss other supports that may be available in the community:

- Does child or youth qualify for **Disability** support?
- **Health** benefits, subsidies or tax credits available?
- Registered **Education Savings Plans (RESP)** to transfer?

CHILDREN'S SERVICES MAKES APPLICATION FOR

PRIVATE GUARDIANSHIP

CHILD OVER 12 NEEDS TO CONSENT

- Guardian responsibilities until child turns 18:**
- **Child's well-being** and development
 - Food, clothing and shelter
 - Consenting to **medical care**
 - Health, education, employment and activity decisions
 - **Cultural, religious or spiritual** upbringing

- ✓ Approved **Home Study Report** or **Addendum**
- ✓ Copy of **Cultural Connection Plan** if child is Indigenous

NOTICE PROVIDED TO:

- Child if they are 12 and over
- Parents or kinship caregivers
- Parents who are not guardians
- The child's First Nation Band or Indigenous Governing Body (elected leadership or designated authority)

Anybody who receives notice has the right to be represented and speak in court

ATTEND COURT DATE

JUDGE DECISION

ORDER NOT GRANTED
NO CHANGES TO GUARDIANSHIP

ORDER GRANTED

SUPPORTS FOR PERMANENCY PROVIDED



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