




Type of law:
FAMILY LAW

CHILD WELFARE



A 2022 Alberta Guide to the Law

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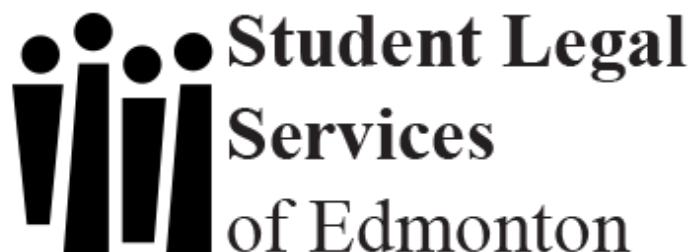
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Child and Family Services (CFS) was called about my family?

What's next?

NOTE: This map provides a **general** outline of what may occur if there is a report about a child in need; however, it is not an exhaustive list of possibilities. Each case looks at the unique and complex circumstances of the family and will require an assessment to determine what will be in the best interests of the child. The focus is always on the best interests of the child.

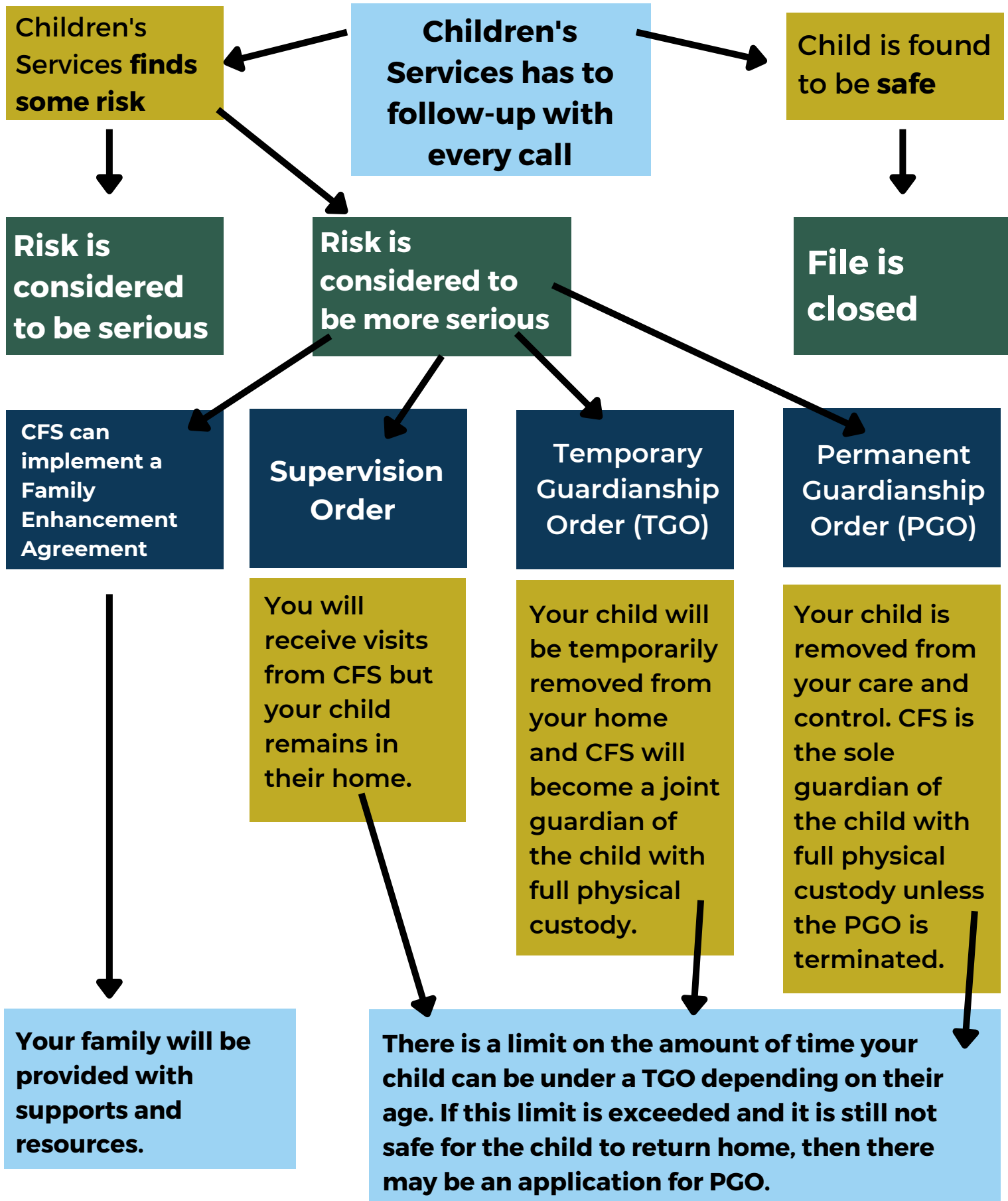


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CHILD, YOUTH, AND FAMILY ENHANCEMENT ACT



The Child, Youth and Family Enhancement Act ("Act") is the provincial statute that addresses the welfare of a child and includes things such as intervention services and adoption.

The Act directs the actions and responsibilities of the Director of Child and Family Services (CFS), and explains the rights of the parents, guardians, and children that are involved.

The caseworkers and assessors of CFS, who work directly with the families, are delegated to act on behalf of the Director.

When there is a **reasonable belief that a child requires intervention**, the Director has the authority to intervene in private family affairs.

Where a child is found to need intervention services, the Act directs the Director to look to the least intrusive measure and to try to keep children with the parents in their own homes.

However, if the Director determines that more intrusive involvement is needed to ensure the child's safety and wellbeing, then a child can be placed under the care and guardianship of the Director, either temporarily or permanently.



PLEASE NOTE: that parents have the right to have a lawyer represent them in child protection matters.

If you are dealing with a matter covered by the Act, you should speak to a lawyer immediately.

If you cannot afford to retain a lawyer, contact Legal Aid Alberta at 1-866-845-3425 for advice and possible representation.

GENERAL INFORMATION



IMPORTANT DEFINITIONS

ASSESSMENT

When a report about the safety or security of a child is made to CFS, it must be investigated. **This investigation is called an assessment and assists the Director in making the decision about whether a child is in need of intervention and what sort of intervention is required.**

CHILD

A child is any person under the age of 18.

YOUTH

A child who is 16 years of age or older (but still under 18).

GUARDIAN

Typically, a guardian is a person who has the legal ability to make decisions regarding the care, maintenance, and well-being of the child.

Generally, a child's guardian(s) are the mother and/or the father. However, any other individual may be appointed a child's guardian by way of a court order or agreement (e.g. grandparents, aunts/uncles, or non-relatives).

Additionally, the decision-making ability of some guardians may also be restricted in specific circumstances by way of a court order or agreement.

INTERVENTION

The types of services and degree of involvement (e.g. Family Enhancement Agreement, Supervision Order, Appreciation Order) that will, or could be, provided to a child whose safety, security, and development are found to be at risk by their guardian.



WHAT DO I HAVE TO DO IF I THINK A CHILD WHO I THINK IS UNSAFE?



If you have a reason to believe that a child is unsafe, you have a responsibility to report the situation to CFS.

According to the Act, any individual that has reasonable and probable grounds to believe that a child is in need of intervention **must** report that information to a Director.

Under the Act, the identity of an individual reporting a child in need is **kept confidential** unless the person consents to the disclosure of their name.

PROTECTION FROM LEGAL ACTION

In almost all situations, an individual who reports a potential child in need of intervention is free from the possibility of legal action.

Even individuals, who gain information in confidence, where the breach of that confidence would typically be a criminal offence, are free from any legal action when reporting child welfare issues.

However, if a report is made maliciously or without grounds, then that individual could face legal action.



FAILURE TO REPORT

Any person that reasonably believes a child is at risk and fails to report a child in need of intervention services, is guilty of an offence and may be found liable to a fine of not more than \$10,000 and/or imprisoned for a term of not more than 6 months.



If you believe that a child is in need of intervention services contact:

- **Edmonton Child and Family Services Regional Office at 780-427-2250 during business hours; OR**
- **Call the Alberta North After-Hours Child Intervention Services Office at 780-422-2001, if you are making the call outside of the regular business hours.**

SOMEONE CALLED CHILD AND FAMILY SERVICES ON MY FAMILY



When CFS gets a phone call (from anyone) regarding the safety, security, or development of a child they are required by law to follow up and investigate the situation.

If it is determined that there is no risk to the child, the investigation will be closed without further intervention.

If it is found that there are one or more risks, the Director has the authority to intervene.



WHEN WILL CHILD AND FAMILY SERVICES INTERVENE?

A child is considered to be in need of intervention when there are reasonable and probable grounds to believe that the safety, security or development of the child is endangered due to one or more of the following:

- **The child has been abandoned or lost;**
- **The guardian of the child is dead and the child has no other guardian;**
- **The child is neglected by their guardian;**
 - Neglect can include, but is not limited to: inability or unwillingness to provide their basic needs, provide necessary access to medical or surgical treatment, or adequate care or supervision.
- **The child has been, or there is a substantial risk that the child will be physically injured or sexually abused by their guardian;**
 - Physical injury includes, but is not limited to: cuts, bruises, or fractures that result from a non-accidental application of force.
 - Sexual abuse can include, but is not limited to: inappropriate touching and conduct and includes prostitution and child pornography.
- **The child has been emotionally injured by their guardian;**
 - Emotional injury includes, but is not limited to: rejection, neglect, lack of attention, or exposure to domestic violence.
- **The child has been subjected to cruel and unusual treatment or punishment by the guardian;**
- **The guardian of the child is unable or unwilling to protect the child from physical, sexual or emotional abuse, cruel and unusual treatment or punishment;**
 - This can include the child being exposed to an individual that has substance abuse problems.

If the risk is considered mild and that extra supports can be used to mitigate the risks so that the child can be safe while in your care, you may be able to enter into a voluntary Family Enhancement Agreement.



A Family Enhancement Agreement is an agreement between a child's guardian(s) and the government that serves as a plan to follow in order to keep a child safe.

If the risk is considered **significant**, the Director will seek more intrusive measures. You may be able to reach a voluntary agreement, such as a **Custody Agreement**, or the Director may apply to the courts for an Order.

WHAT KIND OF ORDER CAN BE PUT ON MY CHILD?



APPREHENSION ORDER (SECTION 19)

An apprehension order allows the Director to take the child from the physical custody and home of their guardian when there are reasons to believe that a child is in need of significant intervention. Some common concerns that may require intervention include: abuse, neglect, domestic violence, and substance abuse.

An apprehension order can also be granted if a child, who was in the Director's care and custody, has **either left or been removed without the Director's consent.**

Additionally, an apprehension order can be granted if a guardian had previously agreed to place the child in the temporary care of the Director and then **withdraws their consent before appropriately resolving the concerns that had endangered the child and led to CFS involvement.**



After a child has been apprehended, the Director will have 2 days to further assess the situation and determine what intervention is required.

- If the child is not returned to the custody of the child's guardian within 2 days, then the Director is required to make an application for a Supervision Order, Temporary Guardianship Order or Permanent Guardianship Order, an order returning the child to the custody of their guardian, or to another province's child welfare authorities (if the child is ordinarily a resident of that other province).
- That application must be heard within 10 days of the apprehension.

CUSTODY ORDER (SECTION 21.1)

When a child is apprehended, the Director will have custody of the child.

However, if the child is not returned to the guardian within two days and the Director makes an application for a TGO or PGO, **the Director will also have to apply for an initial custody order that places the child in the custody of the Director until the application for a TGO or PGO is either approved, withdrawn, or disposed of.**



When an apprehension order is granted, the judge will only hear from the caseworker so the initial custody order is an opportunity for the child's legal guardians to explain why the protection concerns aren't valid and/or have been resolved.

However, it can still be difficult for legal guardians to succeed since the protection concerns don't need to be high for an initial custody order to be granted.

SUPERVISION ORDER (SECTION 28)

In some situations, the Court may decide that a child can remain in the care and custody of their guardian, but that court ordered supervision is necessary to ensure that the child is safe.

Typically, a supervision order will consist of visits by a caseworker in the home of the child and their guardian for a period of not more than 6 months, although the Director can apply for a further period of court ordered supervision if necessary.

The Director can also apply to vary or terminate the supervision order if circumstances have changed.



In such a case, the court will consider whether:

- the circumstances that caused the child to be at risk have changed
- whether the services that had been provided to the child and their family are still necessary or inadequate
- whether the Director and the guardians involved have complied with the order.

Termination of a supervision order may be due to the Director no longer needing to be as involved, or it may mean that a greater level of involvement is required.

A supervision order will often have terms and conditions that must be followed by the Director, the guardian, and/or any other person residing or involved with the child.

An example of one such condition is: "The Court orders the child's guardian to attend Alcoholics Anonymous meetings three times a week for three months."

TEMPORARY GUARDIANSHIP ORDER (TGO) (SECTION 31)

In the case of a TGO, the Director becomes a joint guardian of the child.

While the child is under a TGO, the guardian or any other person living in the residence of the child may be required by the Court to comply with the terms and conditions of an order, including certain programming, before the child can return home.

Terms and conditions are also imposed on the Director and can include how access is to be provided between the child and a guardian or other person significant to the child.

The Court may grant a TGO if the Court finds that:

- The child is in need of intervention; **AND**
- The child is at risk while in the custody of their current guardian; **AND**
- It is anticipated that the child could either:
 - Return to the custody of their guardian within a reasonable amount of time; **OR**
 - The child is at least 16 years old and can live independently.

Generally, a TGO can only last for a total of 9 months if the child is under 6 years of age or 12 months if the child is 6 years of age or older.

These time periods can be extended by the Court for a further 6-month period if there are good reasons for doing so and if it still reasonable to believe that the child can be returned during that period. **Only one extension may be granted.**

Only one extension may be granted. Once the maximum time period has been reached, the Director must apply for a Permanent Guardianship Order (PGO).

PLEASE NOTE: The amount of time used to calculate whether the maximum has been reached is a cumulative calculation and includes **any time period** where the child was in the care and custody of the Director under a Custody Agreement, Custody Order, TGO, or an interim order granting the Director custody.



These periods do not need to be consecutive and all periods will be included except for periods that occurred prior to:

- A period of 5 years where the child has not been in the custody of the Director; **OR**
- The granting of an adoption order or private guardianship order where the child is the subject matter.

The Director can also apply to vary or terminate the TGO if circumstances have changed. In such a case, the court will consider whether the circumstances that caused the child to be at risk have changed, whether the services that had been provided to the child and their family are still necessary or inadequate, and whether the Director and the guardians involved have complied with the order.

Termination of a TGO may be due to the Director no longer needing to be as involved, or it may mean that a greater level of involvement is required.

PERMANENT GUARDIANSHIP ORDER (PGO) (SECTION 34)

A PGO differs from a TGO because it is granted in situations where the Court has determined:

- That the child is in need of intervention or is already the subject of a TGO; **AND**
- The child would be at risk if they remain in, or are returned to, the custody of the guardian; **AND**
- It cannot be anticipated that the child could or should be returned to the custody of the guardian within a reasonable amount of time.

Under a PGO, the Director becomes the sole guardian of the child.

After a PGO is granted, a Director can apply for an order terminating a PGO if they believe that it is safe to do so and in the best interests of the child. When a PGO is terminated, the child is generally returned to the person who was the guardian of the child immediately prior to the PGO being granted but the Court may order a different guardian if they have reasonable grounds to do so.

A person who was a guardian immediately prior to the PGO being granted can also apply to terminate the PGO IF:

- The child has not been adopted; **AND**
- More than 1 year has elapsed since the period for appealing has expired or, if an appeal was made, since the appeal process was concluded; **AND**
- More than 2 years has passed since the last application of this type, if made, was concluded.



SECURE SERVICES ORDER (SSO) (SECTION 44)

A Secure Services Order is granted by the Court to give the Director another source of authority to place a child in a secure services facility.

A child could be subject to a Secure Services Order if they are:

- In the custody of a Director under a Custody Order or Agreement; **OR**
- Subject to a Supervision Order, Temporary Guardianship Order or Permanent Guardianship Order; **OR**
- Subject to a Family Enhancement Agreement.

Secure services are often used as a last resort when:

- The child is in a condition that presents an immediate danger, either to the child or others; **AND**
- Confinement is necessary to stabilize and assess the child; **AND**
- Where less serious solutions are not available.

The Director has the authority to issue a Secure Services Certificate regarding a child with whom they are involved without applying to the Court.

This certificate allows the Director to transport a child and confine them in a secure services facility if necessary to protect the child.

- If the Director is involved with the child through a Supervision Order, a Custody Agreement with the guardian, or a Family Enhancement Act, the Director will need the written consent of the guardian before issuing a Secure Services Certificate.
- If the child is confined, the Director must, within 3 days, explain to the Court why a Secure Services Certificate was issued and confinement was necessary.



If the Director first issued a Secure Services Certificate and then applies for a Secure Services Order, the Director must let the child and the guardian, if the guardian had consented to the certificate, know of the application being made within a day after the certificate is issued.

In this situation, the Director can apply for a Secure Services Order for a period of not more than 7 days if it is necessary to stabilize and/or assess the child.

If the child was not subject to a **Secure Services Certificate** prior to the application for a **Secure Services Order**, the Director is able to make an **ex parte application**, which allows the Director to apply for an order without letting the child and the guardian know until after the order is issued. **This may be necessary for the security of the child.**

In this situation, the Court can grant a **Secure Services Order** for a period of up to **5 days** although the Director can apply to continue the Secure Services Order for a further period of **5 days**. An application to extend the period requires that the child and their guardian are notified of the application to extend.

Secure Services Orders, whether granted after a Secure Services Certificate or through an ex parte application, can be renewed for periods of up to **20 days**, although the total period of confinement cannot exceed **30 consecutive days**.

WHAT WILL A COURT CONSIDER WHEN DECIDING WHAT WILL HAPPEN WITH MY CHILD?

The first priority of the Court is to ensure that the child is protected. In order to do this, the Court will ensure that the guardian is suitable and that the child does not need intervention.

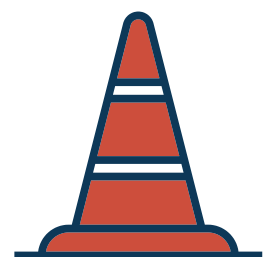
The Court will compare the benefits and risks to the child if they remain with their present guardian or if they are apprehended and moved into the custody and care of the Director.



The Court recognizes the importance of supporting and preserving the family unit. If intervention services are found to be necessary, the Court will order the services to a reasonable extent that supports the family unit and prevents the need to remove the child.

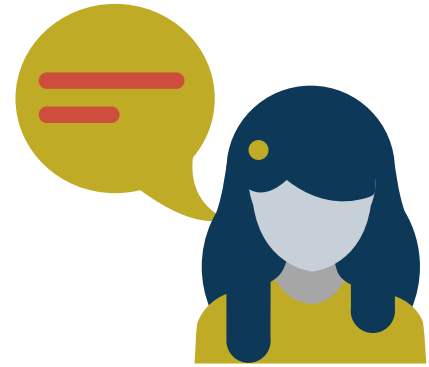
The child will only be removed when less disruptive measures are not sufficient to protect the safety, security, or development of a child.

If remaining in the home will not affect the safety, security, or development of a child, the family may be referred to community services for support to preserve the family and prevent the need for further intervention.



WHAT IF MY CHILD WANTS TO SAY SOMETHING TO THE COURT?

A child who is able to express an opinion on matters affecting them will have their opinion considered when decisions are made about their care. This will generally apply to older children.



Children in care can access the Office of the Child and Youth Advocate (OCYA) at 1-800-661-3446.

- OCYA will help children and youth voice their opinions, concerns, wants, and needs during various decision-making processes so that the best interests of the child are better understood.
- The OCYA ensures that the voice of the child is heard and that their rights are protected throughout the intervention process.

The Office of the Child and Youth Advocate may also appoint lawyers to represent children in certain legal matters through a program called **Legal Representation for Children and Youth (LRCY)**.

- All young persons may be eligible for legal representation through LRCY if they have legal matters concerning the Child Youth and Family Enhancement Act, the Protection Against Family Violence Act, or the Protection of Sexually Exploited Children Act.
 - However, the LRCY will not provide representation for young persons for every matter.
- Requests are carefully screened, and decisions are made based on many factors.
 - For example, a lawyer may not be appointed if all parties are agreeing to a court application or the young person does not want a lawyer.

If the Court has ordered legal representation, then it is mandatory for LRCY to appoint a lawyer to represent children.

If the Court has not ordered it and the young person is 12 years of age or older, LRCY will speak to the young person to ensure that they want and agree to have legal representation.

WHAT CAN I DO IF I DISAGREE WITH A COURT ORDER ABOUT MY CHILD?

Prior to filing an appeal, it is **highly recommended** that you speak to a lawyer to determine whether your circumstances are right for an appeal.

An appeal of an order granted by the Provincial Court can be made to the Court of Queen's Bench within 30 days of when the order being appealed was made.

At the time the order is made, **you can request a stay of the order**, which means asking to suspend its enforcement, for a period of up to 5 days. If a notice of appeal is filed within the 5 days, you can ask to stay the order until the appeal is dealt with.



If you do not agree with a decision made about your child, you have several options:

Temporary Guardianship Order (TGO)

In regards to a supervision order or a **TGO**, the guardian, or the child if they are over 12 years of age, have one opportunity, during the period of the order, to apply to have the order reviewed by the courts to vary or terminate it.

Secure Services Order

A child or a guardian has one opportunity, during the period of the order, to apply to have the order reviewed by the courts to confirm, vary, or terminate the order.

Permanent Guardianship Order (PGO)

A person who was a guardian immediately prior to the **PGO** being granted can also apply to terminate the **PGO** **IF**:

- The child has not been adopted; **AND**
- More than **1 year** has elapsed since the period for appealing has expired or, if an appeal was made, since the appeal process was concluded; **AND**
- More than **2 years** has passed since the last application of this type, if made, was concluded.

WHAT CAN I DO IF I DISAGREE WITH A DECISION MADE BY THE DIRECTOR REGARDING MY CHILD?

There are two review processes available for decisions made by the Director: administrative review and judicial review.

Administrative Review

If you disagree with a decision made by the Director, you may request that they review the decision within 30 days. The Director may confirm, vary, or repeal their decision.

Decisions can be further appealed to the Appeal Panel within 30 days of the Administrative Review's decision.

The Appeal Panel cannot vary or set aside the Director's decision, and can only confirm the Director's decision, or refer it back to the Director for further consideration.

Judicial Review

Decisions made by the Appeal Panel can be further appealed to the **Court of Queen's Bench**. Judicial review is appropriate when the Director refuses to make a decision or does not make a decision within a reasonable amount of time.

Note: Court processes can be timely and costly, **so it is highly recommended that you speak to a lawyer** to determine whether your circumstances are right for an Administrative Review.

FREQUENTLY ASKED QUESTIONS



MY CHILD WAS APPREHENDED AND WAS NOT RETURNED WITHIN 2 DAYS, WHAT HAPPENS NOW?

If your child is not returned to you within 2 days of being apprehended, then the Director must make an application to the Court within 10 days of apprehension for:

- A Supervision Order,
- A Temporary or Permanent Guardianship Order

An application for an order returning the child to your care can be made, but if no applications are made within 10 days of the apprehension, the Director must return the child to your care.

If a Director applies for a TGO or PGO, the Director must also apply for a Custody Order of the child until the application for the Temporary or Permanent Guardianship Order is dealt with. The Custody Order must be dealt with within 42 days after apprehension.



***You should consult with a lawyer IMMEDIATELY regarding the specific circumstances of your child's apprehension.**

The number for the nearest Legal Aid Society of Alberta office should be written on your notice of apprehension.

Legal Aid Alberta can be reached at 1-866-845-3425.



MY CHILD WAS APPREHENDED, BUT THE DIRECTOR DID NOT HAVE AN APPREHENSION ORDER. WAS THE DIRECTOR STILL ALLOWED TO APPREHEND THEM?

If the Director had reasonable and probable grounds to believe that your child's life or health would be seriously AND imminently endangered by the amount of time it would take to obtain an Apprehension Order, they can apprehend them without an Order.

If the Director had reasonable and probable grounds to believe that your child's life or health would be seriously AND imminently endangered by the amount of time it would take to obtain an Apprehension Order, they can apprehend them without an Order.

You should consult with a lawyer IMMEDIATELY regarding the specific circumstances of your child's apprehension.



I BREACHED A CONDITION OF MY SUPERVISION ORDER, WHAT HAPPENS NOW?

If you have failed to comply with the terms written in the Supervision Order, the Director may consider changing any terms of the Supervision Order so that it is more appropriate for your family's situation.

However, the Director can also seek more serious means of intervention by apprehending the child.

If an apprehension occurs, the Director may apply for a Supervision Order, TGO, or PGO.



MY CHILD IS SUBJECT TO A SUPERVISION ORDER OR A TGO ORDER, WHAT HAPPENS NOW?

If you do not agree with an Order and want the Court to change it you can appeal the order but you will need to be able to provide the reasons to support why the order should not have been granted.

Any Order made under the Act can be appealed to the Court of Queen's Bench **within 30 days of the order being made or renewed.**

In regards to a supervision order or a TGO, the guardian, or the child if they are over 12 years of age, have one opportunity, during the period of the order, to apply to have the order reviewed by the courts to vary or terminate it.



The Court, upon review, has the ability to either keep, change, or end the current order, or to make a new order under a different section of the Act.



MY CHILD IS UNDER A TEMPORARY GUARDIANSHIP ORDER. CAN I SEE THEM?

Generally, you will be able to see your child. Usually, a guardian will be denied their right to contact with their child only in cases of significant physical or sexual abuse that directly harms the child.

The Director has the ability to make recommendations for reasonable conditions, which the Court may place in the TGO, such as when a visit needs to be supervised.

The Director and you will also try to come to an agreement regarding visits. If an agreement cannot be reached, then you can make an application to the Courts for access and the Court will make a decision on access and what conditions are to be imposed.

If your child is 12 years of age or older, the Court may also ask them what they would like to do.

Other people can apply for access as well. The Director, your child if they are 12 years of age or older, or any other person with whom your child has had a significant relationship can also make an application for access (for example: grandparents).



MY CHILD IS UNDER A TEMPORARY GUARDIANSHIP ORDER. HOW LONG DOES IT REMAIN IN EFFECT?

A TGO remains in effect until one of five things happen:

- There was an application for a review of the TGO and it was found that the circumstances which caused the Order to be made have changed;
- The Order expires or is ended by the Court;
- A private guardianship Order is made in respect of the child;
- Your child turns 18-years-old; or
- Your child gets married.



Generally, a TGO can only last for a total of **9 months if the child is under 6 years old or 12 months if the child is 6 years of age or older.** These time periods can be extended by the Court for a further 6 month period if there are valid reasons for doing so. Only one extension may be granted.



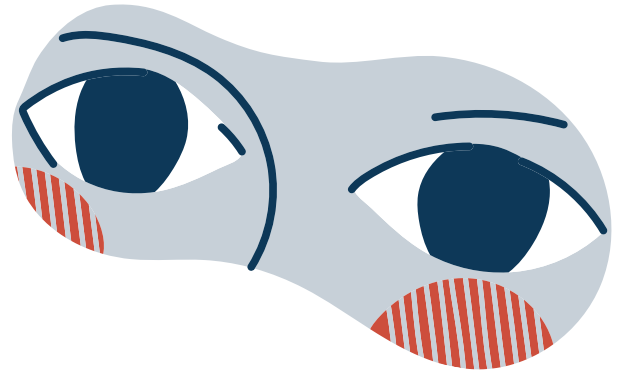
MY CHILD IS SUBJECT TO A PERMANENT GUARDIANSHIP ORDER. CAN I STILL SEE THEM?

PGOs often come with access terms that need to be followed in order to see your child.

To be able to see your child, you should first meet with your caseworker to clarify those access terms, and if there are none, try to come to an agreement.

However, if you are unable to reach an agreement, you can make an application to the Court for access.

The Court can talk to your child, if they are 12 years of age or older, to see if they consent to you seeing them.



Also, when the Court is considering access in PGO cases, **it will determine whether access will, or could, interfere with any potential adoption.** If the Court does decide that access could interfere with an adoption, it has the authority to deny access and stop you from seeing your child.

Other people can also apply for access, as long as the child has not been adopted. The Director, your child if they are 12 years of age or older, or any other person with whom your child has had a significant relationship can also make an application for access.



MY CHILD IS SUBJECT TO A PERMANENT GUARDIANSHIP ORDER. HOW LONG IS IT IN EFFECT?

A PGO remains in effect until one of five circumstances occurs:

- The order is ended by the Court on application by the Director or a former guardian;
- A private Guardianship Order is made in regards to your child;
- An adoption order is made in regards to your child;
- Your child turns 18 years old; or
- Your child gets married



MY CHILD IS SUBJECT TO A PERMANENT GUARDIANSHIP ORDER. IS THERE A POSSIBILITY THEY WILL EVER BE RETURNED INTO MY CUSTODY?

After a PGO is granted, a Director may be able to apply for an order terminating a PGO if they believe that it is safe to do so and in the best interests of the child.

When a PGO is terminated, the child is generally returned to the person who was the guardian of the child immediately prior to the PGO being granted but the Court may order a different guardian if they have reasonable grounds to do so.

A person who was a guardian immediately prior to the PGO being granted can also apply to terminate the PGO IF:

- The child has not been adopted; **AND**
- More than **1 year** has elapsed since the period for appealing has expired or, if an appeal was made, since the appeal process was concluded; **AND**
- More than **2 years** has passed since the last application of this type, if made, was concluded.



THE DIRECTOR IS MAKING AN APPLICATION TO THE COURT TO HAVE EITHER A TEMPORARY GUARDIANSHIP ORDER OR PERMANENT GUARDIANSHIP ORDER GRANTED. DURING THE APPLICATION PROCESS, WILL MY CHILD BE ALLOWED TO LIVE WITH ME?

If the Director is making an application to the Court for either a TGO or a PGO, they must also make an application for custody of your child until a decision is reached by the Court.

If the Court awards custody to the Director, it will likely include whether or not you will be able to visit your child.

The Court can order one of three things:

- 1** Your child be placed in the custody of the Director
- 2** Your child can be returned to you until the TGO or PGO application has been dealt with
- 3** Your child could be placed to live in kinship care (an extended family home) or foster care until the TGO or PGO application has been dealt with (although this is unlikely)



HOW DO I GET MY CHILD'S SECURE SERVICES ORDER REVIEWED?

A Director can make an application for a review at anytime during the period of the order and the period of any renewal of the Order.

You and your child, however, can make an application to the Court only **once** during the period of the order and **once** during the renewal period of the order.

The hearing should be heard no more than **3 days** after the application is made to the Court.

If someone other than you makes the application, you will be notified at least 1 day before the application is heard.



HOW DOES THE DIRECTOR DECIDE WHERE MY CHILD WILL BE PLACED?

The Director will consider the best interests of the child and whether the placement is suitable for the child. When possible, the Director will try to keep the child with their family or extended family.

They should take into account the benefits to the child of:

- Placement as close as possible to the child's home community,
- Placement that respects the child's ancestral, cultural, social, and religious heritage,
- Stability and continuity of care and relationships, and
- Mental, emotional, and physical needs of the child and the child's mental, emotional, and physical stage of development.

Note: If a child is Indigenous, the Director will take special care to ensure that the placement respects, supports and preserves the child's Indigenous identity, culture, heritage, spirituality, language and traditions.

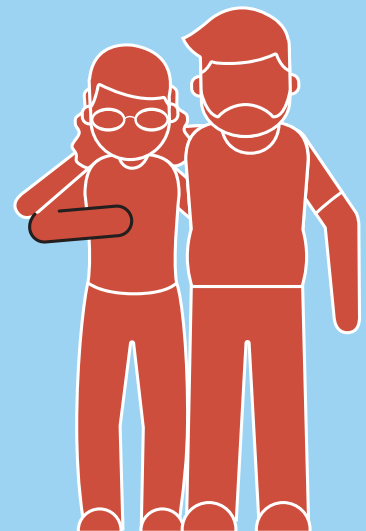
Additionally, if the child being placed is Indigenous and a member of a band, the Director must involve a person designated by the Band Council.

When a child is placed in the care of extended family (e.g. a grandparent), it is called kinship care.

Kinship caregivers take care of the day-to-day needs of the child and support contact between the child and their own family.

Kinship caregivers must:

- Be at least 18-years old,
- Have a family relationship or a significant connection with the child or children (e.g. grandparent, aunt, or close family friend),
- Be willing to have the children placed in their home,
- Understand and be willing to proceed with the approval process.



WHO CAN I CALL FOR MORE HELP OR INFORMATION



LEGAL RESOURCES

Child and Family Services

Various Locations

Ph: 780-427-2250

After-Hours Ph: 1-800-638-0715

The Legal Aid Society of Alberta functions to assist low-income Albertans with certain types of legal matters. Assistance is provided through information, referrals, advice, and/or representation, depending on what your matter is and which eligibility guidelines you meet.

Legal Aid Society of Alberta

Toll Free Ph: 1-866-845-3425

Revillon Building
#300 10320 102 Ave
Edmonton, AB T5J 4A1

The Legal Aid Society of Alberta functions to assist low-income Albertans with certain types of legal matters. Assistance is provided through information, referrals, advice, and/or representation, depending on what your matter is and which eligibility guidelines you meet.

Office of the Child and Youth Advocate (OCYA)

Toll-Free Ph: 1-800-661-3446

#600 9925 109 Street NW
Edmonton, AB T5K 2J8

The Office of the Child and Youth Advocate (OCYA) will help children and youth voice their opinions, concerns, wants, and needs during various decision-making processes so that the best interests of the child are better understood. The OCYA ensures that the voice of the child is heard and that their rights are protected throughout the intervention process.

Centre for Public Legal Education Alberta

Ph: 780-451-8764

www.cplea.ca

CPLEA provides detailed legal information online to the Alberta public on various areas of the law.

NOTE: They do not provide legal assistance or advice or answer specific legal questions.

Lawyer Referral Service

Toll Free Ph: 1-800-661-1095

The Lawyer Referral Service can help you find out contact information for practicing lawyers as well as who an appropriate lawyer may be for your matter. When you call, you will speak to an operator and you will describe the nature of your problem to them. The operator will then provide you with the contact information for up to three lawyers who may be able to assist you. When contacting these referred lawyers, make sure you let them know that you were given their information by the Lawyer Referral Service. The first half hour of your conversation with a referred lawyer will be free and you can discuss your situation and explore options. Note: This free half hour is more for consultation and brief advice and is not intended for the lawyer to provide free work.

Dial-a-Law

Toll-Free Ph: 1-800-332-1091

<http://clg.ab.ca/programs-services/dial-a-law/>

Dial-a-Law is provided by Calgary Legal Guidance for all Albertans. You can call the toll-free number to receive general information on a variety of legal topics. If you have access to a computer, you can go to their website and choose to either read or listen to the information.

FINANCIAL RESOURCES

Alberta Supports Centre (Various Locations)

Edmonton Central Location

Ph: 1-877-644-9992

10242 105 Street NW
Edmonton, AB T5J 3L5

Alberta Supports Centre functions to assist individuals and families with accessing various financial, family, and social supports. Such supports include Alberta Works and AISH.

Service Canada (Various Locations)

Ph: 1-800-622-6232

Downtown Location:

Main Floor Canada Place
9700 Jasper Avenue
Edmonton, AB T5J 4C1

Service Canada is a starting point for individuals seeking to access Federal government services and benefits, such as Employment Insurance and passports.

OTHER RESOURCES

Provincial Court Clerks: Family

Edmonton: 780-427-2743

The Provincial Court Family Clerks are able to assist in providing information for Provincial Court Family matters regarding judicial procedures, court appearances, trial dates, adjournments, outstanding warrants, summonses, subpoenas, witness fees, and payment of fines. It is not their role to provide you with legal advice.

Edmonton Resolution Support Services

Ph: 780-415-0404

8th Floor - John E Brownlee Building
10365 97 Street NW
Edmonton, AB T5J 3W7

Edmonton Resolution Support Services provides various services to assist individuals dealing with a family or civil matter. They have numerous free services, such as Family Court Counsellors, Family Mediation, Child Protection and Intervention Mediation, Civil Mediation, and assistance on Court Forms and Orders.

Emergency Protection Order Program

Ph: 780-422-9222

If after business hours, contact local police

The Emergency Protection Order Program is for those who have been the recipient of family violence and are seeking immediate protection from further harm. The free program will provide help with risk assessments and safety plans, provide information, and provide a lawyer for the purpose of obtaining an Emergency Protection Order (EPO). This lawyer is not being provided to assist you with anything beyond the EPO.

Family Violence Info Line

General Info Line - 24 Hour Toll-Free Ph: 310-1818 (no area code)	Emergency Financial Support: 1-866-644-5135	Family Violence and Tenancy Concerns: 1-877-644-9992	Sexual Assault Centers: 780- 482-4357
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The Family Violence Info Line provides callers with an opportunity to speak with trained staff regarding their situation and options.

NOTES
