

## THE COURT PROCESS

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The notice of the protection hearing will...

- ✚ Arrive 3 days before the hearing
- ✚ Tell you the day, time and place of the hearing
- ✚ Give the reasons for the apprehension

### *Court*

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- ✚ BE THERE
  - ✚ Arrive 15 minutes EARLY on the day, time and place given to you in your notice
  - ✚ NOTE you will have to clear security (metal detector)
  - ✚ BRING a support person (friends, family, advocate, lawyer, etc)
  - ✚ LOOK for the list outside the court room for your child's last name
  - ✚ BE CAREFUL as they won't always go in the order listed on the list
  - ✚ If you do not have a lawyer the judge will ask if you want to speak with one
- \*This first time in court won't take very long and you will likely be asked to return on a later date

### *Person of Sufficient Interest*

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- ✚ You may identify someone who is important in your child's life; this may be a family member, neighbour or friend,
- ✚ The judge may select that person as someone with sufficient interest in your child
- ✚ This person can be involved in your child's case and can go to court
- ✚ It is possible that your child might be placed in the care of this person during this process

## *Child Protection Authority*

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Two agencies in Saskatchewan provide child protection services:

- ✚ Ministry of Social Services
- ✚ First Nations Child and Family Services Agencies (for First Nations children living on reserve)

\*The police have the same authority as the Ministry and FNCFSA to apprehend children

Prepared for

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*Your child has  
been removed  
from your care*

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*Now what?*

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*A guide for women whose children  
have been apprehended in  
Saskatchewan*

## WHY?

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By law, anyone who believes a child is or is at risk of being abused or neglected **must** report their concerns to a child protection authority

- ✚ **Abuse:** physical, sexual or emotional harm
- ✚ **Neglect:** leaving your child alone unsupervised, not giving your child enough food, shelter or clothing

## WHERE DOES YOUR CHILD GO?

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- ✚ Your child will stay in a safe place (a foster home, with relatives or in a medical facility)
- ✚ Your child will be assigned a child protection worker
- ✚ You may be allowed to visit your child depending on the circumstances, contact your child's worker to learn your options

## YOU HAVE THE RIGHT TO KNOW...

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- ✚ WHY your child was removed and other information about your case
- ✚ The contact information for the family services worker in charge of your case
- ✚ Your right to talk to a lawyer
- ✚ About services that could help you have your child returned to you

## HOW TO EXERCISE YOUR RIGHTS

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- ✚ Contact the Ministry of Social Services: 933-5960
- ✚ Contact an advocate:
  - 😊 Community Legal Assistance Services for Saskatoon Inner City: 653-7676
  - 😊 Legal Aid Commission: 933-5300

## NEXT STEPS

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### Step 1

Get the name and contact information of the family services worker assigned to your case

### Step 2

Meet with your family services worker to create a plan that involves:

- Goals for your child and family
- Strategies to reach these goals
- A date to reach the goals

★ *Remember, everyone is working to protect the health and well-being of your child*

### Step 3

Be proactive in working on the issues that are affecting your ability to parent

This might be:

- ✚ Parenting classes
- ✚ Counseling
- ✚ Removing risks
- ✚ Addiction treatment

### Step 4

Use supports

- ✚ Family, friends, community resources (see back page)
- ✚ They can be involved in the process with you

## NOW WHAT?

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Depending on your individual case and situation...

1. Your child may be returned to you within 48hrs
2. You may enter a voluntary agreement with a child protection authority for them to take care of your child
3. Where neither of these options is appropriate for your case, the child protection authority will apply to court for a protection hearing.

### 1. Your child may be returned to you within 48hrs

- ✚ A child protection authority will continue to work with you and your family to make sure your child is safe This may include:
  - ★ Counselling
  - ★ A parent-aide

### 2. Voluntary Agreement

May be available to you if:

- ✚ You are unable to care for your child
- ✚ You agree to allow someone else to care for your child
- ✚ You agree to work on the issues that are affecting your ability to parent your child
- ✚ This agreement can be made for a period of up to a year, with the possibility of a renewal

### 3. Protection Hearing

- ✚ The agency must apply to court for a protection hearing within 7 days of removing your child
- ✚ The hearing must be held within 37 days of when your child was removed from your care

★ *Remember, no matter what your situation, work with Social Services to deal with the issues that are affecting your ability to parent*