

Child Intervention: Dispute Resolution

What if I don't agree with a decision?

When Child Intervention becomes involved with your family, it can sometimes lead to disagreements about decisions that impact you and your family.

If you disagree with a decision, what can you do?

Step 1: Talk directly to your caseworker

- Ask them why the decision was made.
- Explain why you disagree with the decision.
- Try to reach an agreement that satisfies both you and your caseworker.

Step 2: Talk to your caseworker's supervisor

- If you still don't agree with what was decided, your caseworker will give you their supervisor's name and phone number.

Step 3: Talk to their manager

- If you talk to the supervisor and still don't agree with the decision, they will give you their manager's name and phone number.

You have other options too

There are also other options available to help address your disagreements or concerns about what's in the best interests of your child:

- Family Group Conferencing
- Mediation
- Judicial Dispute Resolution
- Administrative Review
- Appeal Panel
- Office of the Child and Youth Advocate (OCYA)

Family Group Conferencing

Family group conferencing is a process that brings families together to make decisions.

It gives you the opportunity to lead the process in the decision-making and care for your child.

Family group conferences define "family" broadly. It includes people related by blood, such as your immediate and extended family, as well other people who have significant relationships with your family or child.

How do family group conferences work?

- Your caseworker will complete a referral to a third-party agency that will organize the family group conference.
- You will be invited to attend and you can bring personal supports along as well.
- During the family group conference, everyone gets a turn to express their concerns.
- Then you and your supports work with the agency to create a plan to address the child intervention concerns.
- Once you have a plan, it is discussed with your caseworker, who may suggest changes.
- The goal is for you and your caseworker to develop a plan that everyone agrees on.

Mediation

Mediation is a voluntary process to help solve disagreements with your caseworker. It's available at any point during your family's involvement with Child Intervention.

The mediator is a neutral third party. They are not employed by Child Intervention. Their role is to support everyone involved to solve the problem in a cooperative and respectful way.

How does mediation work?

- You, your support person and your caseworker will meet with the mediator together.
- You will each have the opportunity to talk about your concerns. Everything said is confidential.
- The goal is to develop a plan based on what is best for the child.
- If you and your caseworker come to an agreement, the mediator will write up your plan. You and your caseworker will both get a copy.

Judicial Dispute Resolution

Your caseworker may apply in court for an order such as a Supervision Order, Temporary Guardianship Order, or Permanent Guardianship Order.

If you don't agree with the order, the court may arrange for a Judicial Dispute Resolution. This is a meeting held at the courthouse.

It will involve you and your caseworker. It will also involve:

- Your lawyer,
- Your agency support worker,
- The child's lawyer (if applicable),
- Your caseworker's lawyer, and
- A judge.

The judge will review the situation and give their opinion on what should happen.

If you and your caseworker come to an agreement during this meeting, the judge can grant or dismiss the order.

Administrative Review

If you've spoken with your caseworker, caseworker's supervisor and their manager, and you still disagree with a decision, you can ask for an Administrative Review.

A manager and another senior official (who were not involved in making the decision) will look at your concerns. They will decide whether to uphold, change or cancel the decision.

How do you ask for an Administrative Review?

Ask your caseworker for the Request for Administrative Review form.

You'll have 30 days from the date of the caseworker's decision to fill out this form and give it back to the caseworker. They can also help you fill it out.

Only people who are directly affected by the decision can ask for an Administrative Review. This includes the child, their parents or guardians, and others.

Ask your caseworker if this applies to you or if you want to know more.

Appeal Panel

If you disagree with the outcome of the Administrative Review, your case may be eligible to be heard by an appeal panel.

What do they do?

- The panel is made up of people from the community who do not work for Child Intervention.
- They will review the decision.
- The panel will then decide whether to uphold, change or cancel the decision.

Ask your caseworker for a Notice of an Appeal to the Appeal Panel form if you want to apply.

Office of the Child and Youth Advocate

If you believe that your child's rights and interests are not being considered, you may talk with the Office of the Child and Youth Advocate (OCYA) at any time.

You can reach the OCYA at 1-800-661-3446 or visit www.ocya.alberta.ca.