

Court Process

The Child Protection Worker must apply to the Court for a Permanent Custody Order once consent is received from the birth parent(s).

REFERENCE

NWT Child and Family Services Act, sections 37(1)(2), 38(1)(2)(3)

PURPOSE

- To ensure the Permanent Custody Order is obtained in a timely manner to permit the adoptive placement of a child.

PROCEDURES

1. Ensure the birth parent(s) sign the *Consent and Affidavit of Execution court documents*.
2. Complete the *Originating Notice court document*.
3. Complete the *Affidavit court document*.
4. File a copy of *Registration of Live Birth form*.
5. Complete the *Case Plan Report form*.
6. File the court documents and Registration of Live Birth with the Court Registry while obtaining certified copies of each.
7. Serve certified copies of required documents to birth parent(s).
8. Complete an *Affidavit of Service or Affidavit of Attempted Service court documents* and file with the Court Registry.
9. Serve a copy of the Originating Notice to the appropriate Aboriginal organization and file with the Court Registry.
10. Serve a certified copy of the Permanent Custody Order to the birth parent(s), Director of Child and Family Services and child over 12 years of age.
11. File an *Affidavit of Service or Affidavit of Attempted Service* with the Court Registry.

FORMS

- Registration of Live Birth
- Case Plan Report

TOOLS

- Permanent Custody Guidelines

COURT DOCUMENTS

- Consent and Affidavit of Execution
- Originating Notice
- Affidavit for Permanent Custody for Adoption
- Affidavit of Service
- Affidavit of Attempted Service
- Permanent Custody Order

Effective Date:
April 1, 2015

Director of Child and Family Services

