

Disclosure to Legal Counsel

The Child Protection Worker must provide the documents for disclosure to legal counsel of the Director of Child and Family Services.

REFERENCE

NWT Child and Family Services Act sections 71(2), 74

PURPOSE

- To ensure prompt and complete disclosure to legal counsel as a means to promote early resolution of child protection cases.

PROCEDURES

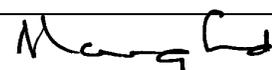
1. Ensure all file information such as case notes, including those of previous Worker(s), reports and other documents are up to date and on the child's file.
2. Provide the up to date file to the Director's legal counsel no later than ten (10) days of receiving the request for review.
3. Ensure the recordings do not disclose protected information such as:
 - Information that can lead to identification including names of informants;
 - Information given to the Director by third parties in confidence on the basis that it would not be disclosed;
 - Documents prepared in preparation of litigation or information subject to solicitor client privilege;
 - Information regarding any youth criminal justice record unless authorized by a Youth Criminal Justice Court Judge;
 - Information relating to any person including any child in care or former child in care not involved in the proceeding.
4. Make copies of the child's file for each party involved in the application.
5. Provide copies of the child's file to the Director's legal counsel who will deliver the documents to the parties.

Note:

All information disclosed by the Director is limited to use in the current proceedings and

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its parties. On the conclusion of a hearing, the opposing parties must return to the Director's legal counsel, all copies of the disclosed documents except for those filed with the Court.

FORMS

- None

TOOLS

- Disclosure

COURT DOCUMENTS

- None

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