



Assembly of First Nations (AFN) Bulletin

Claims Process Now Open for First Nations Child and Family Services Class Action Settlement

Summary:

- On April 19, 2023, the Assembly of First Nations (AFN), the Moushoom and Trout Class Action plaintiffs reached a final settlement agreement, totalling more than \$23.34 billion. This agreement intends to compensate those harmed by discriminatory underfunding of the First Nations Child and Family Services Program and narrow interpretation of Jordan's Principle.
- This Settlement followed compensation orders from the Canadian Human Rights Tribunal (CHRT) in 2019, made as part of a complaint filed by the AFN and the First Nations Child and Family Caring Society in February 2007 under the Canadian Human Rights Act.
- The Claims Period for the Removed Child and Removed Child Family Classes are now open for applications.
- This Claims Period applies to those affected by discrimination in the First Nations Child and Family Services Program.
- Individuals who may be eligible for Compensation under the period that opened on March 10, 2025 include First Nations individuals who were removed from their homes as Children between April 1, 1991, and March 31, 2022, while living on reserve or in the Yukon and placed into care funded by Indigenous Services Canada, as well as their Caregiving Parents or Caregiving Grandparents.
- **Apply for compensation by visiting www.fnchildclaims.ca** or contact 1-833-852-0755. Help is available to support Claimants with the Claims Process.
- The Removed Child and Removed Child Family Classes are two of the nine Classes under the Final Settlement Agreement on Compensation. The Claims Processes for the additional Classes will be available at a future date.
- This process is separate and distinct from ongoing efforts to secure a Final Settlement Agreement on long-term reform of the First Nations Child and Family Services (FNCFS) Program. For clarity, the long-term reform of the FNCFS Program has no bearing on this process.

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The Claims Period for the Removed Child and the Removed Child Family Classes are now open. The Final Settlement Agreement on Compensation applies to those affected by

discrimination in the First Nations Child and Family Services (FNCFS) Program and narrow application of Jordan's Principle. Claims can be submitted to the Administrator, Deloitte, at www.fnchildclaims.ca or contact, 1-833-852-0755.

Eligibility and how to apply

This Claims Period is open to Claimants in the **Removed Child** and **Removed Child Family** Classes. Those who may be eligible include First Nations individuals who were removed from their homes as Children between April 1, 1991, and March 31, 2022, while living on reserve or in the Yukon and placed into care funded by Indigenous Services Canada, as well as their Caregiving Parents or Caregiving Grandparents.

Removed Child and Removed Child Family Claimants who are over the age of majority are now able to submit their Claim to the Administrator. You will need a valid government-issued identification and a mailing address. Class Members will also need a bank account in their name if they want the Administrator to deposit Compensation directly into their account. Help is available to support Claimants with the Claims Process. **Apply for compensation by visiting www.fnchildclaims.ca** or contact 1-833-852-0755 for more information or to be connected to a Claims Helpers.

Claimants will have three years to submit their Claim once they have reached the age of majority. Those who are currently minors can submit a Claim up to two years before they reach the age of majority; however, payment will not be issued until the Class Member reaches the age of majority. If a Claimant cannot apply within three years due to extenuating circumstances, they can apply for an extension of up to one year, subject to approval by the Administrator.

Compensation distribution

Compensation can only be distributed to eligible Class Members once they reach the age of majority, even if they apply as a minor. The amount of Compensation for each Class Member will vary by the Class they apply under and the circumstances of the application. Payments could range from \$20,000 to \$40,000 per individual, and some Class Members may be eligible for additional Compensation.

Additional Classes under the Settlement

The Removed Child and Removed Child Family Classes are two out of nine Classes covered under the Final Settlement Agreement on Compensation. The Claim Periods for the remaining seven Classes will open at a later date, as each Claims Process must be approved by the Federal Court. Claimants may apply under multiple classes, but Class Members will only receive **one** base payment of Compensation. More information about the subsequent Classes' Claims Processes will be available at a later date.

Fraud, support and resources

You do not need to pay anyone to help you file a Claim or receive payment, and no one should be requesting personal information from you. Note that fraudulent legal representatives may try to exploit First Nations applications under the Claims Process. The Administrator is not reaching out to Class Members. If you are contacted by anyone claiming to be with this Settlement and

asking for information, please contact the Administrator at 1-833-852-0755 or Generalinfo@Contact.FNChildClaims.ca. Reporting an incident will help protect other Claimants and may prevent someone from becoming a victim of fraud.

Help is available for Claimants preparing to apply for Compensation. Claimants who have questions or need support with their Claim can contact the Administrator, who can connect them to a Claims Helper. Claims Helpers can provide one-on-one trauma-informed support with completing the Claim Form online, over the phone or in person, where available. Claims Helpers can also assist Claimants with connecting to local services and wellness resources.

Distinction from Long-Term Reform

The Final Settlement Agreement on Compensation is a separate Agreement from ongoing efforts to secure an agreement on long-term reform of the First Nations Child and Family Services Program. The Final Settlement Agreement on Compensation was presented to the First Nations-in-Assembly for endorsement in April 2023. On April 4, 2023, the First Nations-in-Assembly unanimously approved the FSA via AFN Resolution 04/2023, *Revised Final Settlement Agreement on Compensation for First Nations Children and Families*.

In accordance with Resolutions 60/2024, *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle*, and 61/2024, *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*, the AFN continues to call on Canada to negotiate and secure a new agreement on long-term reform with the National Children's Chiefs Commission.

Visit www.fnchildclaims.ca for more information. For media inquiries, please contact Genna Benson, Director of Communications, at gbenson@afn.ca.