

What You Should Know About



In these papers you will find:

Form 8B: Application - This form tells you:

- The date and time when the court will hear the case;
- The address of the court;
- The names of the children in the case;
- The names of the people who have to be involved in the case (if your child is Native or Indian, the law says the CAS must tell the child's band);
- What the CAS is asking the judge to do (paragraph 2); and
- Why the CAS is going to court (paragraph 6).

The papers might also include:

Form 14: Notice of Motion - This form often is a request for the court to make a temporary order.

Form 14A: Affidavit - An affidavit is a sworn statement that is used as evidence in court.

Form 33B.1: Answer and Plan of Care - This form is filled out by you, with your lawyer's help.

What do I do?

Plan to attend court.

Speak to a lawyer right away. These cases can move quickly and can be complicated. Your lawyer will help you prepare and file your own papers. Even if you agree with what the CAS is asking for, you should still speak to a lawyer.

If you are not able to find a lawyer before the court date, a lawyer called a Duty Counsel is usually at the court house to give you basic help on that day.

What if I can't afford a lawyer?


You can apply for legal aid.

You will have to give Legal Aid Ontario information about your income and any property you own. If you qualify, Legal Aid Ontario will give you a certificate to pay for, or help pay for, a lawyer.

Your local Legal Aid Ontario office is listed in the white pages of your phone book under *Legal Aid Ontario*. When you call, make sure you tell them you are calling about a child protection case. Ask what you need to bring to apply for legal aid.

What do I do next?

- ✓ If you do not have a lawyer yet, get a lawyer.
- ✓ Fill out **Form 33B.1: Answer and Plan of Care**. A blank copy of this form should be attached to the CAS court papers. You can also get a blank form from the court house.
- ✓ You should ask your lawyer to help you complete this form.

 You have only **30 days** after you get the CAS court papers to file the **Form 33B.1: Answer and Plan of Care** and give copies of it to the people involved in the court case. If you do not do this, the judge might make decisions without your input.

How can I help my lawyer prepare my case?

- ✓ Make sure your lawyer has all the court papers you have been given.
- ✓ Tell your lawyer everything you know about the case.
- ✓ Go to all the court hearings and meetings. Make sure you tell your lawyer if you cannot go.
- ✓ Keep in touch. Tell your lawyer if anything changes, especially your address or telephone number.

What are the next steps?

It depends. There are many possible steps in a child protection court case. You may have to go to court many times. Each case is different. Make sure your lawyer explains each step of your case.

Cases can be resolved if everyone involved agrees about what to do. The agreement has to be approved by the judge. If everyone cannot agree, a judge will decide.