



COMPENSATION FOR DISCRIMINATION IN THE FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM AND JORDAN'S PRINCIPLE

JANUARY 22, 2022

EXPECTED TIMELINE

1

March 31, 2022



Assembly of First Nations (AFN), Moushoom and Canada

The parties aim to reach a comprehensive final settlement agreement (CFSA) on compensation.

The Parties have reached an Agreement-in-Principle (AIP) with Canada that will act as a framework for the final settlement discussions. There are many details that need to be worked out with Canada, Moushoom and AFN in the development of CFSA, including, but not limited to, determining the following elements:

- **Eligibility and Breakdown** – Who is eligible and potential compensation amounts.
- **Distribution Plan** – How funds will be distributed to eligible individuals.
- **Management of funds on behalf of minors** – How funds will be distributed in the case of a youth who is under the age of majority.
- **Claims Administration** – Who will administer the funds. (Note: The AFN has indicated its preference for a First Nations claims administrator.)
- **Supports for class members** – What supports will be available for individuals who are eligible for compensation and how they will be administered, with the goal of minimizing the risk of retraumatizing individuals through the compensation distribution process. These supports will potentially include, but are not limited to, funding optional (i.e. non-mandatory) programs for financial management, mental health supports and counselling services.

2

After CFSA/
March 31, 2022



Canadian Human Rights Tribunal (CHRT)

Once the Final Settlement Agreement is signed, the Parties will seek a CHRT order stating that, by reaching a final settlement, the CHRT Compensation Order (2019 CHRT 39) has been satisfied.

3

Once CFSA is signed



Federal Court Motion

Once the CFSA is signed, the Parties will seek a Federal Court motion for the approval of:

1. notice of certification of AFN/Moushoom Class Action
2. notice of certification of Trout Class Action
3. notice of settlement of both class actions
4. the plan to distribute the above notices

This motion is a preliminary step before we move towards the settlement approval motion. It also allows us to begin to move forward on issuing a formal notice to the class.

4

Federal Court Motion Hearing

Starting
September
19-23, 2022



In anticipation of a CFSA, the Federal Court has set aside the week of September 19-23, 2022 for a hearing for:

1. approving the settlement
2. approving the settlement distribution plan
3. approving the settlement administrator
4. adjudicating any outstanding contested issues amongst the parties relating to the above

The court may retain jurisdiction after this step to address possible further issues.

5

As directed by
Federal Court after
Motion Hearing



Payment to
Class members

It is estimated that payments will start at the end of 2022 - early 2023, subject to decision of the Federal Court.

Stay Connected

The AFN has **launched a website** to provide information and updates about the AIP and next steps. A broader notice plan will be developed for approval of the Federal Court in order to reach as many potentially eligible class members as possible.

