

## Why Use ADR?

- It supports families and allows them to have an active and vital role in planning.
- It respects and values the voices of all parties.
- It is voluntary.
- It is often faster and less complex than court.
- It is assisted by an impartial third party.
- It helps preserve and improve communication and relationships.



## Your Meeting

Date : \_\_\_\_\_

Place : \_\_\_\_\_

Time : \_\_\_\_\_

Coordinator : \_\_\_\_\_

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Centre of Nipissing



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## Alternate Dispute Resolution

*Family voices... making choices*



- Family Group Decision Making
- Child Protection Mediation
- Aboriginal Approach

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## What is Alternate Dispute Resolution (ADR)?

ADR is a strategy to streamline court processes and encourage alternatives to the use of court to resolve child welfare issues such as care and custody. It focuses on a strength-based, inclusive and collaborative approach to resolving child protection disputes, and encourages the involvement and support of the family, extended family and the community, in planning and decision-making for children.

The Child and Family Services Act R.S.O. 1990, identifies the following occasions where a prescribed method of ADR must be considered and/or may be used :

- If a child is or may be in need of protection, a Children's Aid Society must consider whether a prescribed method of ADR could assist in resolving any issue related to the child or a plan for the child's care (section 20.2 (1) 0).
- The court, at any time during a proceeding, and with the consent of the parties, may adjourn

the proceeding to permit the parties to utilize a prescribed method of ADR to attempt to resolve the issues in dispute (section 51.1).

- On applications to vary or terminate an openness order before or after an adoption, the court may, with the consent of the parties, adjourn the proceeding to permit the parties to utilize a prescribed method of ADR to attempt to resolve any disputes related to the proceeding (section 145.2(7) and 153.1(10)).



## What Are the Different Methods of ADR?

### Family Group Decision Making

A process that brings together family (including the child where appropriate), the child's extended family and community, child protection workers and service providers to develop a safety plan that addresses the protection concerns identified. A trained and impartial coordinator, with no decision-making power, assists the participants throughout the process. An integral component of FGDM is providing the extended family group with an opportunity to meet privately, independent of professionals, to develop a plan.

### Child Protection Mediation

A process where child protection workers, family and any other person wishing to participate in a plan for the child, work together with the aid of a trained and impartial child protection mediator who has no decision-making power. The mediator assists the participants in reaching an agreement on the issues in dispute, in generating options for resolving their dispute and in developing a mutually acceptable plan that addresses the protection concerns identified.

### Aboriginal Approaches

Traditional methods of dispute resolution, including circle processes, have been established by First Nations communities or Aboriginal organizations. Impartial facilitators who have no decision-making power and who are skilled in First Nation traditional methods assist the participants in developing a plan that is supported by the participants and/or the First Nation community and addresses the protection concerns identified.