



Understanding Court Orders and Hearings

This list explains the meaning of many, but not all, of the court orders and hearings for child protection cases. When it says “the ministry” below, it means the Ministry of Children and Family Development. Words in bold text are defined somewhere else in the list.

Access order

If your child has been removed, you can apply for an access order that will say when you can visit your child, even if the judge makes a **custody order** for who the child will live with. It is best to apply for access as soon as you can.

Consent order

If you and the ministry agree about how your child should be cared for, a judge will make a consent order and you won't have to have a full **protection hearing**.

Continuing custody order

Means your child will stay in the care of the ministry without any limits on how long it will last. A judge usually makes this order only if there is a serious problem that cannot be fixed within a certain time.

NOTE

If the ministry tells you that you are being investigated, you have the right to get a lawyer. *Contact legal aid immediately to find out if you qualify for a free lawyer.*

Legal Aid:

604-408-2172 (Greater Vancouver)
1-866-577-2525 (call no charge, elsewhere in BC)

Interim supervision order (child with parent)

Means your child will live with you under the ministry's supervision. The order will include the **supervision terms** you must follow.

Interim supervision order (child with relatives or in foster care)

Means your child will live with another person under the ministry's supervision. The order will say how your child will be cared for and whether you can have visits.

Interim custody order

Means your child must stay in the care of the ministry for a certain period of time. The order will also say when and how you can visit your child.

Presentation hearing

This is the first time you go to court, when the judge should ask you if you agree with what the ministry wants to do. The judge will make an order right away or may make another hearing to learn more about your case. A presentation hearing must start within 7 days of a social worker removing your child. You will be notified of the hearing date. The hearing should start within 10 days if the social worker applies for a **supervision order without removal**.

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Protection hearing

When a judge decides who will care for your child for a longer time period. Usually follows a **presentation hearing**. If you and the ministry agree about how your child should be cared for, the judge will make a **consent order** and you won't have a full hearing. The protection hearing must start no more than 45 days after the presentation hearing ends.

Report to Court

When you go to court, your social worker or lawyer must give you a copy of the Report to Court. This document should say why the ministry

removed your child or asked for a supervision order, what the ministry tried before doing that, and what the ministry wants to do next.

Supervision order without removal

Means the ministry wants you to follow a certain plan to protect your child. If you agree to do what is asked of you in the terms of the order, your child can stay with you.

Supervision terms

The terms you will be asked whether you can agree with, which will allow your child to stay in your care under a supervision order.

Your important details

Date the ministry started investigating: _____

Name of ministry social worker: _____

Date you called legal aid for lawyer: _____

Name of lawyer: _____

First Nation/Band or friendship centre contact: _____

Court dates

Access order application date: _____

Presentation hearing date: _____

Protection hearing date: _____

Adjournment date: _____

