



# Caring for a child or youth through an interim or temporary out of care court order

When a child or youth cannot safely live with their parents, the court may order that the child or youth be placed in the care of an adult family member, a trusted family friend, or for Indigenous children and youth, a member of their family, Nation or Indigenous community. These arrangements are called out-of-care arrangements and are sometimes referred to as kinship care.

## Court process

Child welfare workers from the Ministry of Children and Family Development and/or an Indigenous Child and Family Service Agency (ICFSA) acting under provincial child protection legislation must attend court within 7 days following a removal. At the end of the hearing, the judge may issue a court order placing the child or youth in the custody of someone other than the parent—such as a family member or a person with a traditional or cultural responsibility to the child or youth.

## Out-of-care court orders

If the judge orders that the child or youth is placed in custody of a person other than the parent, this person becomes responsible for the child or youth's care for the period of time identified in the court order. **The proposed care provider must consent to the order before it can be made.**

A court order often sets out conditions for the child or youth's care, called a Supervision Order. These usually require the care provider to work with the child welfare worker on plans for contact between the parent and child or youth. Other conditions may also be included.

The child welfare worker will continue to attend court while the child or youth is in temporary custody. The court may renew existing orders, return the child or youth to the parent, or decide the child or youth be brought into foster care.

If the court decides the child or youth cannot safely return home within a reasonable time, it may—if the care provider agrees—make a permanent order giving custody to the care provider.

## Screening and assessment

Before a child or youth can live in an out-of-care arrangement the proposed care provider must be screened and approved by a child welfare worker. This process includes:

- Criminal record checks for all adults 18 and older in the home
- A review of any past child protection involvement
- Reference checks
- A home visit to confirm safety and identify any additional needs
- An assessment of the child/youth's needs and how the care provider can meet them

Each prospective care provider is assessed with the child or youth's best interests first. Past criminal, child-welfare, or health issues don't automatically rule someone out; what matters is their current situation and relationship with the child or youth.



## Cultural connections

Children and youth have the right to maintain meaningful connections to their culture and community. For Indigenous children and youth, this may include contact with Elders and other members of their Nation or Indigenous community.

Care providers from a different culture should actively support the child or youth's cultural, linguistic, religious, and spiritual heritage, and preserve their identity and community connections.



### Rights of Indigenous Children and Youth

Indigenous children and youth have the right to guidance, encouragement, and support to learn and practice their traditions, customs, and languages, and to belong to their Nation or Indigenous communities.

## Supports for care providers

Care providers receive monthly financial support to meet the child or youth's needs.

Court ordered care providers are not eligible for federal benefits. To learn more about Federal benefits (including Canada Child Benefit) or tax implications, contact Canada Revenue Agency.

Care providers can apply for the Affordable Child Care Benefit. MCFD and/or an ICFSA may also provide a child care subsidy referral to help cover the cost of child care for care providers.

Other supports may be available based on the child or youth's needs and may include counseling or cultural supports.

## Contact information

If you have any questions, contact the child welfare worker:

**Name:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**After hours line:** 1-800-663-9122

## Roles and Responsibilities

### Child Welfare Worker

- Manages the record for the child/youth and parent
- Refers the family to community supports as needed
- Visits in person at least every 90 days
- Involves the child/youth's Nation or Indigenous community, if the child/youth is Indigenous

### Care Provider

- Meets the child/youth's daily needs (clothing, school, health appointments)
- Provides a safe, nurturing home and safe sleeping arrangements
- Supports family contact as outlined in the Court Order
- Reports safety concerns to the child welfare worker
- Supports the child/youth's cultural, heritage, and spiritual connections
- Inform the child welfare worker of any unmet needs

For help, call the  
**Kinship Care Helpline:**  
604-558-4740 or  
1-855-474-9777 (toll-free)



Ministry of  
Children and Family  
Development

[gov.bc.ca/KinshipCare](http://gov.bc.ca/KinshipCare)

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