

# COMPARISON OF ADR METHODS IN THE WEST REGION OF ONTARIO

	Child Protection Mediation (CPMed)	Family Group Conferencing (FGC)	Indigenous Approaches to ADR/Original Dispute Resolution
<b>Participants</b>	<ul style="list-style-type: none"> <li>Depending on the matter: parents, grandparents, youth, adoptive parents</li> <li>Referring CAS worker and manager/supervisor</li> <li>Parties legal counsel, if all agree to participate</li> <li>Child's counsel (OCL), if represented</li> <li>Service providers in a supportive role, if requested</li> </ul>	<ul style="list-style-type: none"> <li>Parents</li> <li>Kith and Kin (extended family and close friends)</li> <li>Children (child care provided)</li> <li>Referring CAS worker and manager/supervisor</li> <li>Service providers (e.g. teacher, coach, pastor, etc.) (generally, not in private time)</li> <li>Child's counsel (OCL), if represented</li> <li>Parties legal counsel DO NOT attend</li> </ul>	<ul style="list-style-type: none"> <li>Parents</li> <li>Referring CAS worker and manager/supervisor</li> <li>Extended family, friends, children</li> <li>Service Providers (e.g. teacher, coach, pastor, etc.)</li> <li>Band Reps, Elders, and other invited guests</li> <li>Representatives of on-reserve child welfare or prevention agencies</li> <li>Child's counsel (OCL), if represented</li> </ul>
<b>Focus</b>	<ul style="list-style-type: none"> <li>Generally seen as a personal matter</li> <li>Custody and access: parenting plans in high conflict separation or divorce</li> <li>Agreements in regard to adoption openness</li> <li>Conflict resolution re: VYSA</li> <li>Working on a Supervision Order</li> <li>Breakdown in communication between CAS and parent(s)</li> <li>Other issues related to addressing dispute(s)/conflict</li> </ul>	<ul style="list-style-type: none"> <li>Generally seen as larger family matter</li> <li>Plans to support parent in role as caregiver</li> <li>Plan for safety and permanency of the child</li> <li>Reconnecting youth to birth family</li> <li>Re-integration to family for a child after foster care</li> <li>Development of family plan for supervision of access</li> </ul>	<ul style="list-style-type: none"> <li>Generally seen as a community matter</li> <li>Plans for a customary care arrangement</li> <li>Plans to re-integrate a child who has been in foster care off-reserve into the community</li> <li>Cultural misunderstanding</li> <li>Addressing communication between CAS and parent(s)</li> <li>Plan for safety and permanency of the child</li> <li>Details around adoption openness order</li> </ul>
<b>Facilitator</b>	<ul style="list-style-type: none"> <li>Roster member of the Child Protection Mediation Roster maintained by the Ontario Association of Family Mediators</li> <li>Independent of decision making</li> <li>No prior involvement with case/family</li> </ul>	<ul style="list-style-type: none"> <li>Roster member of the Family Group Conference Coordinator <ul style="list-style-type: none"> <li>Roster maintained by the George Hull Centre</li> </ul> </li> <li>Independent of decision making</li> <li>No prior involvement with case/family</li> </ul>	<ul style="list-style-type: none"> <li>IAADR/ODR practitioner as endorsed by the community</li> <li>May also be trained in Family Group Conferencing, Talking Circles, Mediation or other professional with specialized cultural training</li> <li>Independent of decision making</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>Mediator meets privately with parties for individual intake sessions; during the intakes screening occurs for domestic violence</li> <li>Process is voluntary</li> <li>Mediator coordinates and organizes the mediation process</li> <li>Takes an active role in facilitating communication during the process</li> <li>Ensure safety of participants</li> <li>Ensures that CAS protection concerns are met</li> <li>Once an agreement is reached, the mediator drafts a memorandum of understanding (MOU) which is shared with all parties and legal counsel, if represented</li> <li>Parties do not sign the MOU with the mediator</li> </ul>	<ul style="list-style-type: none"> <li>Coordinator meets with family members; works toward widening the family circle and informal support network</li> <li>Process is voluntary</li> <li>Prepares all participants for what will take place at the conference and ensures safety of all participants</li> <li>Advise family of the bottom lines</li> <li>Coordinator organizes the conference day. Organizes child care, facility, food, etc.</li> <li>Conference is 3 parts; Information Sharing, Private Family Time, Review, and Acceptance of Plan</li> <li>During private family time, the family group drafts an initial plan</li> <li>Plan is then reviewed by all and CAS accepts the plan if it meets bottom lines</li> <li>May be a re-conference, if requested</li> </ul>	<ul style="list-style-type: none"> <li>Process is unique to each community and is typically based on healing circle or talking circle practices and may incorporate elements of other forms of ADR</li> <li>In the region, First Nations, Band Representatives or other Indigenous organizations may take initial referral for ADR</li> <li>Process is voluntary</li> <li>Facilitator will incorporate traditions and ceremonies according to family preferences and community practices.</li> <li>If the plan is within the parameters of the "bottom lines" of the agency, CAS worker and supervisor will implement the next steps</li> </ul>
<b>Time</b>	<ul style="list-style-type: none"> <li>Individual intake appointments</li> <li>2-3 joint sessions over a period of several weeks or months</li> </ul>	<ul style="list-style-type: none"> <li>Preparation of participants over a period of many weeks (usually 6-8 weeks)</li> <li>1 day of conference</li> </ul>	<ul style="list-style-type: none"> <li>Process may occur over the course of several weeks or months and is responsive to guidance of community, elders, etc.</li> </ul>