

Facilitated Planning Meeting

(Child, Family and Community Service Act)

Backgrounder

The prime objective of the Facilitated Planning Meeting is to make effective decisions for children as soon as possible. It provides an opportunity, early in the court process, for parents and social workers to meet and, with the help of a mediator, to resolve as many issues as possible in a collaborative manner. Our experience to date shows that, with Facilitated Planning Meetings, fewer cases will proceed to contested hearings and, when a case does go to hearing, the time from removal to the disposition of the application is reduced.

The Facilitated Planning Meeting is very structured and focuses on deciding on a plan to ensure the safety of the child. Where agreements on all issues are not possible, the meeting can be used to reach consensus on as many substantive and/or procedural issues as possible. At the conclusion of the meeting, the mediator records any agreement made with respect to a risk reduction service plan for the child.

The social worker attends the planning meeting, accompanied by a Court Work Supervisor who has the authority to agree to a service plan and approve allocation of resources.

Experience has shown that the majority of cases that go to mediation result in all or some of the issues being settled.

Process: Overview

The basic steps of the Facilitated Planning Meeting process are:

- Step 1:** Invitation/Referral. Parents are invited to participate in the project.
- Step 2:** Setting up a session for parents.
- Step 3:** Orientation session for parents and a separate meeting with the social worker.
- Step 4:** Information exchange prior to Planning Meeting.
- Step 5:** The Planning Meeting.
- Step 6:** Formalizing the agreement.

Step by Step Procedures

STEP 1: Invitation/Referral

- The Court Work Supervisor monitors all removals for the project offices and attends court list days.
- Cases can be referred by parents' counsel, Director's counsel, the Judiciary, social workers or parents.
- Criteria for referral:
 - order being sought is contested (or terms of an order),
 - referral will not cause delay,
 - parents are disputing child protection matters.
- Note: cases that cannot be referred to a Facilitated Planning Meeting (which is only available in specific areas) may be referred to the Child Protection Mediation Program (s. 22 mediation)

STEP 2: Setting up an Orientation Session for Parents

- An orientation session is scheduled for parents who wish to participate (their legal counsel may attend).
- A mediator is assigned to conduct an orientation session and to facilitate the Planning Meeting.
- An Administrative Coordinator or the Court Work Supervisor coordinates scheduling and assigning mediators.

STEP 3: Orientation Session and Meeting with Social Worker

- The orientation session focuses on preparing parents for the Planning Meeting by explaining logistics (when, where, how long), who should attend, goals, possible outcomes, options if issues remain after the meeting, confidentiality issues, right to obtain independent legal advice, etc.
- At this stage the mediator may screen out unsuitable cases.
- The parents' interests/issues are clarified and listed.
- The ministry's interests/issues are clarified and listed in a separate meeting. (The Team Leader and Court Work Supervisor may attend).
- The Agreement to Participate in a Planning Meeting may be signed at this stage.

STEP 4: Information Exchange Prior to Planning Meeting

- Information relevant to the safety of the child is exchanged between the parties prior to the Planning Meeting to inform discussions

STEP 5: The Planning Meeting

- The Agreement to Participate in a Planning Meeting is signed before commencing.
- Parents' counsel can attend the Planning Meeting.
- The social worker is accompanied by the Court Work Supervisor who has the authority to agree to a plan of care.
- The Director's counsel attends only in complex cases. This is also the policy for s. 22 mediation.
- The mediator conducts the meeting which takes 2 to 5 hours.
- The parties and the mediator may agree to continue the planning meeting another time.

STEP 6: Formalizing the Agreement

- Where all or some issues are agreed to, a written agreement is made and signed.
- Where no issues are resolved, the mediator will confirm this in writing for the parties and confirm that the matter will proceed to a hearing.
- A written agreement can be the basis of other documents such as a Consent Order.