



## Revised FSA: Kith Child Class & Kith Family Class

On April 19, 2023, Parties to the Final Settlement on compensation signed the Revised Final Settlement Agreement (“Revised FSA”) on Compensation. The following information sheet will cover information relating to the Kith Child Class and Kith Family Class.

**It is important to note that the Revised FSA is a legal agreement and to agree to the terms of this agreement is an important decision. Claimants are strongly urged to read the Revised FSA in its entirety before starting a claim and to seek legal advice if they have concerns.**

**This document is not intended to replace the actual Revised FSA document and only to provide an informal overview of the information contained in the Revised FSA.**

### Important Definitions

#### **Kith Child Class**

Means a First Nations Child placed with a Kith Caregiver in a Kith Placement between April 1<sup>st</sup>, 1991 and March 31<sup>st</sup>, 2022 as a result of child welfare involvement. The Administrator must be able to verify that the Child was Ordinarily Resident on Reserve and some evidence will be required to show the Kith Placement was with a non-family member off Reserve.

#### **Kith Family Class**

Includes only the Caregiving Parents or, in the absence of Caregiving Parents, the Caregiving Grandparents of an Approved Kith Child Class Member who was placed in a Kith Placement between January 1<sup>st</sup>, 2006, and March 31<sup>st</sup>, 2022.

### Compensation amounts

#### **Kith Child Class**

An Approved *Kith Child Class Member* will be eligible to receive a Base Compensation of \$40,000. There are no Enhancement Payments applicable to this class.

#### **Kith Family Class**

A *Kith Family Class Member* who has abused an eligible Child is not eligible for compensation in relation to that Child. An Approved *Kith Family Class Member* will be eligible to receive a Base Compensation of \$40,000.

#### Multiplication of compensation amounts

A maximum compensation amount of two Base Compensation payments per Child among Caregiving Parents or Caregiving Grandparents of a Child, regardless of number of Kith Placements, may be distributed under this Agreement, if otherwise eligible.

An Approved Kith Family Class Member may receive multiple Base Compensation payments if and where the following conditions are met:

- (1) more than 1 Child of the Caregiving Parent or the Caregiving Grandparent, as the case may be, has been approved by the Administrator, or the Third-Party Assessor on appeal, as Approved Kith Child Class Members in a Kith Placement between January 1<sup>st</sup>, 2006 and March 31<sup>st</sup>, 2022;
- (2) the multiplication of the Base Compensation will correspond to the number of such Approved Kith Child Class Members who have been approved for compensation; and
- (3) the Approved Kith Family Class Member has established that they are a Caregiving Parent or Caregiving Grandparent to each of the Approved Kith Child Class Member through Supporting Documentation.

#### Where there was more than one Kith Placement regarding a child...

the Caregiving Parent or the Caregiving Grandparent in the earlier Kith Placement will take priority in receiving compensation. If the order in time of placements can't be determined, the following priorities apply:

- A. Caregiving Parents;
- B. Caregiving Grandparents.

### Multiple Claims by more than two Caregiving Parents/Grandparents

The Administrator may require further information and proof from those Claimants, but without the direct involvement of the Child, to determine who if any, amongst the Claimants meets/met the definition of a Caregiving Parent or Caregiving Grandparent under this Agreement.