



## What is the **Indian Boarding Homes Class Action**?

In the 1950s, the **Indian Boarding Homes Program** placed First Nations and Inuit children in private homes for the purpose of attending school. **This Settlement provides compensation to people placed in these homes.** You are a Primary Class Member if Canada placed you in a private home, between **September 1, 1951 and June 30, 1992**. You may still be eligible if you were placed after June 30, 1992. People who were placed in private homes, but **died on or after July 24, 2016**, may also be eligible, and their estate can apply on their behalf.

## How can I know if I am eligible?

You can use the eligibility checker available on the Indian Boarding Homes Program Class Action website at: **<https://boardinghomesclassaction.com/eligibilitychecker>**

## When can I apply?

You can start applying for compensation starting **Wednesday August 21, 2024**.

## How can I start my Application?

Starting on August 21, 2024, you can visit the website **<https://boardinghomesclassaction.com/>** to find the claim forms. You can submit claims online, or by downloading and mailing it to the Administrator.

## What if I don't want to participate?

If you want to sue Canada on your own for your placement in the Indian Boarding Homes Program, you must **Opt-Out**. You will need to submit an **Opt-Out form** before the expiry date of **Monday July 22nd, 2024**.

## How do I opt-out?

You can visit **the website to fill out the online Opt-Out Form**. You can also download the PDF form and email it to class counsel at:

**Klein Lawyers LLP:**  
[ibhclassaction@callkleinlawyers.com](mailto:ibhclassaction@callkleinlawyers.com)  
**Dionne Schulze s.e.n.c:**  
[percival@dionneschulze.ca](mailto:percival@dionneschulze.ca)

## You can also contact the Claims Administrator at:

**Email:**  
[claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com)  
**Phone:**  
+1 (888) 499-1144

For more information,  
visit our website by  
scanning the QR Code.



## **Indian Boarding Homes Class Action Settlement**

### **Backgrounder**

The Indian Boarding Homes Class Action Settlement is another step towards reconciliation between the Government of Canada and Indigenous peoples. It acknowledges and compensates First Nations and Inuit children harmed during their placement in private boarding homes as part of the Indian Boarding Homes Program.

### **History of the Indian Boarding Homes Program**

The Indian Boarding Homes program was created by the Government of Canada in the 1950s during the deconstruction of the Indian Residential Schools system. The program involved placing children from First Nations communities and Inuit villages in private homes for the purpose of attending elementary and secondary school. The boarding homes program continued to operate into the early 1990s.

As alleged in the class action, the Indian Boarding Homes program created an environment where children were abused, harassed, and suffered other harms. The prolonged absence from family and community also resulted in a loss of culture, language, and community bonding.

### **Background on the Class Action Settlement**

The Class Action Settlement was a result of two lawsuits filed in Quebec and Canada's Federal Court. The Settlement Agreement terms were approved in December 2023. The terms of the Settlement include the following:

- Class Members who are eligible to file for compensation are Individuals placed in private homes as a result of the Indian Boarding Homes Program between September 1, 1951, and June 30, 1992. Individuals placed after June 30, 1992, may also be eligible if Canada was still responsible for their placement in the private home.
- Individuals that were placed in these private homes who are no longer living are still eligible for compensation if they died on or after July 24, 2021. Representatives of the deceased individuals can claim compensation on their behalf.
- The Settlement offers compensation based on the below structure:

- Individuals that were placed in a private home because of the Indian Boarding Homes Program are entitled to a single payment of \$10,000.
- The same individuals are also entitled to apply for additional compensation amounts based on the extent of harm experienced, ranging from \$10,000 - \$200,000 CAD. Harms suffered can include physical, emotional, or sexual abuse. An additional \$50 million has been allocated as part of the Settlement, to create a foundation promoting and supporting Class Members and their descendants in healing, wellness, education, languages, culture, heritage, commemoration, and reconciliation activities.

### **Settlement Procedures**

Before the settlement process can begin, the federal court has ordered an initial 60-day Opt-Out Period. This allows Class Members to withdraw from the class action to sue Canada on their own for their placement in the Indian Boarding Homes Program. **The Opt-Out deadline is July 22, 2024**, which will then be immediately followed by a 30-day Appeals Period. The deadline to appeal is August 21, 2024.

**The claims process will begin on August 21, 2024.** Class Members will have two and a half years to submit their claims.

The appointed Claims Administrator has provided resources to support class members and claimants with the claims process including call centers:

- **English:** 1-888-499-1144
- **French:** 1-888-499-1155

The call centers will be open Monday to Friday, 9 AM – 7 PM EST. Information will also be posted to the class action website at <https://boardinghomesclassaction.com/>

The role of the Claims Administrator is to act as an impartial third party. It works with all stakeholders involved in the class action.

For this Class Action, the Claims Administrator is committed to providing culturally safe and trauma-aware services.



## Indian Boarding Homes Class Action

### Notice of Settlement

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Were you in the Indian Boarding Homes Program between September 1, 1951, and June 30, 1992, OR, if your placement in the Indian Boarding Homes Program was after June 30, 1992, was Canada responsible for the placement?

#### **You may be eligible for Compensation**

The Indian Boarding Homes Program, established by the Government of Canada, placed children from First Nations and Inuit communities with private families for the purpose of attending school.

The Indian Boarding Homes Class Action Settlement provides compensation to people who were placed in these homes by the Government of Canada.

Individuals placed in these private homes who are no longer living are eligible for compensation if they died on or after July 24, 2016. Representatives of deceased individuals may claim compensation on their behalf.

Placements for the purpose of attending post-secondary education (college or university) are not part of the Settlement and are not eligible for compensation.

You can:

#### **1. Make a Claim for Compensation**

If you were in the Indian Boarding Homes Program, you can make a claim for compensation. You must complete a claim form and send it to the Claims Administrator by the Claims Deadline of **Monday, February 22, 2027**.

Claim forms are available on the Class Action Website or by contacting Class Counsel.

**OR**

#### **2. Opt-Out of the Class Action**

If you do not want to participate in the Settlement, you must complete and submit an Opt-Out Form by **Monday, July 22, 2024**. By opting out, you will maintain your right to independently sue Canada for harms you suffered in the Indian Boarding Homes Program, but you will not be able to claim compensation under the Settlement. To obtain an Opt-Out Form, please visit the Class Action Website or contact Class Counsel.



## How to get more information

To obtain details of the Settlement, the Claim Forms and the Opt-Out Form:

- **Go to the Indian Boarding Home Class Action Website:**  
**<https://boardinghomesclassaction.com>**
- **Contact the Claims Administrator:**  
**Phone Number:** 1-888-499-1144  
**Email:** [claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com)
- **Contact Quebec Subclass Counsel (Quebec only):**  
**Dionne Schulze s.e.n.c.**  
**Mailing Address:** 507 Place d'Armes, Suite 502 Montreal, QC H2Y 2W8  
**Phone Number:** 1-888-232-3778  
**Email:** [percival@dionneschulze.ca](mailto:percival@dionneschulze.ca)  
**Website:** <https://www.dionneschulze.ca>
- **Contact Class Counsel (All Other Provinces & Territories):**  
**Klein Lawyers LLP**  
**Mailing Address:** 1385 W 8th Avenue #400 Vancouver, BC V6H 3V9  
**Phone Number:** 1-604-874-7171  
**Email:** [ibhclassaction@callkleinlawyers.com](mailto:ibhclassaction@callkleinlawyers.com)  
**Website:** <https://www.callkleinlawyers.com>

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**If you know others who were in the Indian Boarding Homes Program, please share this information with them or share the class action website:**  
**<https://boardinghomesclassaction.com>**

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## Indian Boarding Homes Class Action

### Frequently Asked Questions

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#### The Settlement

##### 1. What is a class action settlement?

A class action settlement is a decision resulting from a lawsuit. One or more people called “Representative Plaintiffs” sue on behalf of others with similar claims. All these people are “Class Members.” The courts resolve the issues for everyone affected. People excluded from lawsuits are those who choose to “Opt-Out.”

##### 2. What was the Indian Boarding Homes Program?

The Indian Boarding Homes Program was a program created by the Government of Canada (“Canada”), which placed children from First Nations communities and Inuit villages in other communities (usually non-Indigenous) to stay in private homes for the purpose of attending school. The Indian Boarding Homes Program began in the 1950s. Canada continued to operate the Indian Boarding Homes Program into the early 1990s.

##### 3. What is the Indian Boarding Homes Program class action settlement about?

This settlement is in response to two lawsuits in Quebec and in the Federal Court filed on behalf of people who as children suffered loss of language and culture, abuse, and other harms because of their placement in the Indian Boarding Homes Program. The lawsuits sought compensation, recognition, and justice for the experiences and harms suffered by children in the Indian Boarding Homes Program.

On June 28, 2019, the Federal Court certified the Federal Court lawsuit as a national class proceeding. Canada and the court-appointed Representative Plaintiffs agreed to a settlement. On December 11, 2023, the Federal Court approved the Settlement Agreement as fair, reasonable and in the best interests of Class Members.

This means Class Members can apply for financial compensation. To receive compensation under this settlement, Class Members must file claims with the Claims





Administrator, who will be responsible for processing and making decisions on the submitted claims. Taking part in this settlement avoids the cost and uncertainty of a trial. There is no delay in obtaining a decision and compensation as Class Members will not need to file individual lawsuits or testify in court. The period during which Class Members will be able to submit a claim is two and a half years after the Implementation Date, plus a possible six-month extension.

In addition to this compensation, Canada is providing fifty million dollars (\$50,000,000) to create a foundation that promotes healing and transparency, by formally recognizing the harm caused by the Indian Boarding Homes Program. The foundation will also be used to preserve languages and culture.

#### **4. What is the 'Implementation Date'**

The Implementation Date is the date on which the Settlement Agreement becomes effective. Claims can be submitted after the Implementation Date.

The Implementation Date is the latest date of:

- a. thirty (30) days after the expiry of the Opt-Out Period; and
- b. the day following the last day on which a Primary Class Member may appeal or seek leave to appeal the Approval Order; and
- c. the date of the final determination of any appeal brought in relation to the Approval Order.

#### **5. Who is eligible to claim?**

To be eligible for compensation, the Class Member must have:

- a. Been placed in a private home:
  - i. during the period of September 1, 1951, to June 30, 1992, for the purpose of attending school (this does not include placements for post-secondary education, such as college or university); or
  - ii. after June 30, 1992, if Canada was responsible for their placement; and
- b. Been alive on or after July 24, 2016; and
- c. Submitted their claim prior to the Claim Deadline, which is two years and six months after the Implementation Date. Extensions may be granted in exceptional circumstances during the following six months, as provided for in the Settlement Agreement.



## 6. Why did I receive a “Notice of Settlement”?

It is important to reach as many potential Class Members as possible. People across the country may be eligible. The Notice of Settlement lets people know about the class action settlement and claims process.

Receiving a Notice of Settlement does not guarantee you are eligible for compensation.

## 7. How much is this settlement?

Every Class Member is eligible for a Category 1 payment of \$10,000. This is a single payment to anyone who was placed by Canada in the Indian Boarding Homes Program.

Class Members may also apply for compensation for abuse suffered, ranging from \$10,000 to \$200,000. This is called a Category 2 claim. The compensation paid will depend on the specific harms suffered, such as physical, emotional, or sexual abuse. You may hire a lawyer to help you submit your Category 2 claim. Canada will pay your lawyer an amount of 5% (plus tax) of the Category 2 payment you receive. That payment will not come out of your compensation.

Canada will not pay any lawyer fees for a Category 1 claim.

In addition to this compensation, Canada is providing fifty million dollars (\$50,000,000) to create a foundation that promotes healing and transparency, by formally recognizing the harm caused by the Indian Boarding Homes Program. The foundation will also be used to preserve language and culture.

## 8. I was abused while in the Indian Boarding Homes Program. What compensation am I entitled to?

The amount of compensation you receive will depend on what happened to you.

There are two different payments you can submit a claim for:

1. Category 1 - Compensation for Placement in the Indian Boarding Homes Program. Payment for a Category 1 claim is \$10,000.

2. Category 2 - Compensation for Abuse. Payment for Category 2 ranges from \$10,000 to \$200,000 depending on the abuse suffered.





You can submit a claim for both a Category 1 payment and a Category 2 payment. You must submit a Category 1 claim first, but a Category 2 claim can be submitted at the same time or later.

The chart below lists the types of harm and amounts of compensation available in Category 2.

### **Caution**

The following information provides examples of the types of harm some children placed in the Indian Boarding Homes Program may have experienced. The material may be offensive and traumatizing for some. Please proceed with caution and seek support as needed.

If you need mental health assistance or emotional support, please contact Hope for Wellness at 1-855-242-3310 or online at [www.hopeforwellness.ca](http://www.hopeforwellness.ca).

More information on the health services available and how to access supports can be found at <https://boardinghomesclassaction.com/resources>.

### **Category 2A - \$10,000**

- Sexual comments or sexualized provocation; OR
- Unreasonable or disproportionate acts of discipline or punishment; OR
- One or more incidents of mocking, denigration (such as belittling, or abusive language), humiliation or shaming; OR
- Threats of violence or intimidating statements or gestures; OR
- One incident of abuse, such as:
  - Unreasonable confinement (e.g., being locked in a room); or
  - Being deprived of food, medical care, adequate clothing, heating, or bedding; or
  - Being forced to do unpaid labour (in excess of normal domestic tasks); or



- Being forced to consume alcohol, narcotics, or noxious (poisonous) substances; or
- Being prevented from attending school.

**Category 2B - \$50,000**

- One or more incidents of:
  - Forced exposure to pornography; or
  - Nude photographs taken; or
  - Individuals exposing themselves; or
  - Touching genitals or private parts (directly or through clothing), fondling, or kissing; or
  - Simulated intercourse; OR
- One or more physical assaults causing:
  - Serious but temporary harm (such as a black eye, bruise, abrasion, laceration, or incapacitation that led to or should have led to bed rest); or
  - Minor impairment or disfigurement that was not permanent (such as loss of consciousness or broken bones, loss of or damage to teeth); OR
- Two or more incidents of abuse, such as:
  - Unreasonable confinement (e.g., being locked in a room); or
  - Being deprived of food, medical care, adequate clothing, heating, or bedding; or
  - Being forced to do unpaid labour (in excess of normal domestic tasks); or
  - Being forced to consume alcohol, narcotics, or noxious substances; or
  - Being prevented from attending school.

**Category 2C - \$100,000**

- One incident of:
  - Masturbation; or
  - Oral or attempted oral intercourse; or



- Attempted penetration (including vaginal or anal, digital penetration or penetration with an object); OR
- Recurring physical assaults causing:
  - Serious but temporary harm (such as a black eye, bruise, abrasion, laceration, or incapacitation that led to or should have led to bed rest); or
  - Minor impairment or disfigurement that was not permanent (such as loss of consciousness, broken bones, loss of or damage to teeth).

**Category 2D - \$150,000**

- One incident of penetration (including vaginal or anal, digital penetration or penetration with an object); OR
- Two or more incidents of:
  - Attempted oral intercourse; or
  - Attempted penetration; OR
- One or more physical assaults causing permanent or long-term mental or physical impairment, injury, or disfigurement.

**Category 2E - \$200,000**

- Two or more incidents of:
  - Masturbation; or
  - Oral intercourse; or
  - Penetration (including vaginal or anal, digital penetration or penetration with an object); OR
- Any pregnancy resulting from an incident of sexual assault (including pregnancy interrupted by miscarriage or therapeutic abortion); OR
- One or more physical assaults causing permanent mobility loss or brain injury.

## 9. What is a Claims Administrator?

A Claims Administrator is appointed by the court to make sure that claimants get the compensation they are entitled to under the Settlement Agreement. They are responsible for receiving forms, answering questions about the process, and deciding on whether claims are eligible.

The court appointed PricewaterhouseCoopers Inc. as the Claims Administrator for the Indian Boarding Homes Program settlement.

## 10. How will the Claims Administrator decide how much money to give me?

For a Category 1 claim, the compensation is \$10,000.

For a Category 2 claim, the compensation will range between \$10,000 and \$200,000, depending on the abuse suffered as outlined (Category 2A, 2B, 2C, 2D, 2E). This will be determined based on the information you provide in your claim submission.

## 11. What if I am not sure whether I am eligible to claim?

You can use the eligibility checker available on the Indian Boarding Homes Program Class Action website at <https://boardinghomesclassaction.com/eligibility-checker>.

You can also contact the Claims Administrator by email at [claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com) or call the contact centre at 1-888-499-1144 and a member of the support team can help you.

## 12. What rights do I give up by being a part of this class action settlement?

You give up the right to bring your own lawsuit against Canada regarding your placement in the Indian Boarding Homes Program.

This class action settlement is binding on all Class Members who do not Opt-Out.

## 13. Can I Opt-Out of this settlement?

If you want to sue Canada on your own for your placement in the Indian Boarding Homes Program, you must Opt-Out. You will need to submit an Opt-Out form before the expiry date, which is Monday July 22<sup>nd</sup>, 2024.

To Opt-Out, you can either submit using the online form linked below or complete the PDF form and email or mail it to class counsel (see contact details on the Opt-Out form). Note: If you live outside of Canada, you must use the PDF Form.



**To Opt-Out using the online form:**

1. Access the online Opt-Out form on the Indian Boarding Homes Class Action website at <https://boardinghomesclassaction.com>
2. Complete the form online and click "Submit"

**To Opt-Out using the PDF form:**

1. The PDF Opt-Out form is available on the Indian Boarding Homes Class Action website at <https://www.boardinghomesclassaction.com>, or you can call the Claims Administrator at 1-888-499-1144 and have the form sent to you.
2. Completed forms can be sent by email or mail to either class counsel:

For Class Members from provinces and territories other than Quebec:

**Klein Lawyers LLP**

1385 W 8th Avenue #400

Vancouver, BC V6H 3V9

1-604-874-7171

[ibhclassaction@callkleinlawyers.com](mailto:ibhclassaction@callkleinlawyers.com)

For Class Members from Quebec only:

**Dionne Schulze s.e.n.c.**

507 Place d'Armes, Suite 502

Montréal, QC H2Y 2W8

1-888-232-3778

[percival@dionneschulze.ca](mailto:percival@dionneschulze.ca)

**14. The term 'Indian' has a negative meaning. Why is it being used here?**

We recognize this word may have a negative meaning and the term has been used historically as an outdated reference to Indigenous people.

The term is used here to reference the Indian Boarding Homes Program set up under Canada's "Indian Act". The name reflects the dark reality of Canada's history with Indigenous Peoples. This settlement sheds important light on that history.

## 15. Who are the lawyers representing the Class Members?

For Class Members from provinces and territories other than Quebec:

**Klein Lawyers LLP**

1385 W 8th Avenue #400

Vancouver, BC V6H 3V9

1-604-874-7171

[ibhclassaction@callkleinlawyers.com](mailto:ibhclassaction@callkleinlawyers.com)

For Class Members from Quebec only:

**Dionne Schulze s.e.n.c.**

507 Place d'Armes, Suite 502

Montréal, QC H2Y 2W8

1-888-232-3778

[percival@dionneschulze.ca](mailto:percival@dionneschulze.ca)

## 16. How will the Class Member lawyers be paid?

Canada is paying a class counsel fee to Klein Lawyers LLP and Dionne Schulze s.e.n.c. for their work on behalf of the class, in an amount to be decided by the Federal Court. That payment will not affect the compensation paid to Class Members.

## 17. I want to hire a lawyer. Will I have to pay them?

You may hire a lawyer of your choosing to help you submit your Category 2 claim. Canada will pay your lawyer an amount equal to 5% (plus tax) of the Category 2 payment you receive.

The lawyer can request a further 5% from Canada through a motion seeking court approval. If approved, Canada will pay for this legal assistance in addition to the compensation paid to you. These payments will not come out of your compensation.

Canada will not pay any lawyer fees for a Category 1 claim.

## 18. What is a Statutory Declaration?

A Statutory Declaration for this process is a document that you and a guarantor sign if you do not have a valid government ID, or if you need to attest to the nature of your relationship with a deceased Class Member. It states that the information you provide in the form is true, to the best of your knowledge.





## 19. What is a Guarantor?

A Guarantor is the person who is present when you sign the Statutory Declaration. The Guarantor is not required to read the form or verify the accuracy of any of the events you describe.

It can be any of the following:

- Border Service Officer
- Certified Aboriginal Financial Manager
- Certified / Registered Accountant
- Commissioner of Oaths
- Correctional Officer
- Chief / Hereditary Chief
- Clan Mother
- Midwife
- Federal or Provincial Court Judge or Justice of the Peace
- Government Councillor, including Chief or Band Councillor
- Indian Registration Administrator
- Indigenous / Aboriginal Liaison Officer
- Inuit Community Leader / First Nations Elder / Traditional Practitioner
- Lawyer
- Licensed Medical Doctor / Physician
- Northern Villages' Secretary Treasurer
- Notary Public
- Peace Officer
- Pharmacist
- Police Officer
- Psychologist / Psychiatrist
- Registered Clinical Counsellor
- Registered Occupational Therapist
- Registered Social Worker

## The Claims Process

### 20. What is the claim process?

There are two types of claims in this class action settlement:

1. Category 1 - Compensation for Placement in the Indian Boarding Homes Program.
2. Category 2 - Compensation for Abuse

A Category 1 claim must be submitted first with a Category 2 claim submitted at the same time or a later date.

You can submit your claim in the following ways:

- Online: <https://boardinghomesclassaction.com>
- By emailing your completed claim form to: [claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com)

- By faxing your completed claim form to: 1-833-912-5047
- By mailing your completed paper claim form to:

**Attn: Indian Boarding Homes Class Action**

18 York Street, Suite 2500,  
Toronto, Ontario, Canada  
M5J 0B2

The links to download the claim forms are available on the Indian Boarding Homes Program Class Action website at <https://boardinghomesclassaction.com>. Claim forms are also available by calling the Claims Administrator at 1-888-499-1144.

The Claims Administrator will review your claim and determine whether you are eligible to receive compensation.

If your claim is rejected or assessed at a lower compensation level, you can file for reconsideration.

## 21. Who is not eligible to file a claim?

- a. Individuals who were placed by Indigenous governing bodies after June 30, 1992; or
- b. Individuals who died before July 24, 2016.

## 22. How do I apply?

The claim forms are available on the Indian Boarding Homes Program Class Action website at <https://boardinghomesclassaction.com>. Forms are also available by calling the Claims Administrator at 1-888-499-1144.

The claim forms can be completed through the online claim portal or using a PDF electronic form and submitting by email or by mail.

If you do not use the online portal send your completed form in one of the following ways:

- By emailing your completed claim form to:  
[claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com)
- By faxing your completed claim form to: 1-833-912-5047
- By mailing your completed paper claim form to:  
**Attn: Indian Boarding Homes Class Action**  
18 York Street, Suite 2500,



Toronto, Ontario, Canada  
M5J 0B2

### **23. Can someone help me to fill out the claim form?**

You can ask a friend or family member to help you complete the form.

### **24. Can someone apply on my behalf?**

You can hire a lawyer to submit your claim on your behalf, or a personal representative can submit a claim on your behalf if you are a Person Under Disability. A Person Under Disability is a person who is unable to manage or make reasonable judgments or decisions by reason of mental incapacity.

### **25. I am a personal representative assisting a Class Member – what information or documents will I need to provide?**

You will need to provide:

- A copy (front and back) of one piece of Government ID. Accepted pieces of ID are:
  - Passport
  - Driver's License
  - Provincial and Territorial Photocard (for example Ontario Photo Card)
  - Certificate of Indian Status (Status Card)
  - Inuit Beneficiary Card
  - Health Card that has a photo (Quebec only)
- Your contact details
- Documentation confirming your representative status (such as a Proof of appointment as a guardian or trustee by a court).

### **26. I am an estate representative representing a deceased Class Member – what information or documents will I need to provide?**

There are separate claim forms for estates.

You will need to provide:

- A copy (front and back) of one piece of Government ID. Accepted pieces of ID are:
  - Passport
  - Driver's License
  - Provincial and Territorial Photocard (for example, Ontario Photo Card)



- Certificate of Indian Status (Status Card)
- Inuit Beneficiary Card
- Health Card that has a photo (Quebec only)
- Your contact details
- Proof of death of the Class Member (either a Statement of Death issued by a funeral home or a Death Certificate)
- Proof of appointment as an executor (Certificate of appointment as executor / estate trustee / liquidator; Appointment of administrator / executor by Indigenous Services Canada)

**27. I am a lawyer representing a Class Member - what information or documents will I need to provide?**

You will need to provide:

- A copy (front and back) of one piece of your client's Government ID. Accepted pieces of ID are:
  - Passport
  - Driver's License
  - Provincial and Territorial Photocard (for example, Ontario Photo Card)
  - Certificate of Indian Status (Status Card)
  - Inuit Beneficiary Card
  - Health Card that has a photo (Quebec only)
- Your contact details
- Proof of your active law society membership
- A void cheque or a direct deposit form from your bank (if you are assisting with a Category 2 claim).

The protocol regarding payment of individual legal fees can be found on the Indian Boarding Homes Class Action website at <https://boardinghomesclassaction.com>.

**28. I am a friend or family member assisting a Class Member - will I need to provide my own information?**

As a friend or family member assisting a Class Member, you can help them to complete the Individual Claimant claim form and will not have to provide your personal information.

### 29. Who can I contact if I need help filling out the claim form?

You can ask a friend or family member to help you fill out the claim form, or you can hire a lawyer to submit your claim on your behalf for Category 2 claims.

If you hire a lawyer of your choosing to help you submit your Category 2 claim, Canada will pay your lawyer an amount equal to 5% (plus tax) of the Category 2 payment received and will not come out of your compensation. Canada will not pay any lawyer fees for a Category 1 claim.

### 30. Can I get a lawyer to help fill out my claim form for me?

Yes. If you need help finding a lawyer to assist you with your claim form, you can:

1. Contact Class Counsel at:  
 Quebec: 1-888-232-3778  
 Provinces and Territories other than Quebec: 1-604-874-7171
  
2. Contact your provincial/territorial bar association.  
 Below is a list of provincial and territorial law societies with their contact information. Please contact the society in the province or territory where you live for help finding a lawyer for legal support.

Alberta	1-800-661-9003
British Columbia	1-800-903-5300
Manitoba	1-855-942-5571
New Brunswick	506-458-8540
Newfoundland & Labrador	709-722-4740
Nova Scotia	902-422-1491
Ontario	1-800-668-7380
Prince Edward Island	902-566-1666
Quebec	1-844-954-3411
Saskatchewan	1-833-733-0133
Northwest Territories	1-867-873-3828
Nunavut	1-844-979-2330
Yukon	1-867-668-4231

If a Class Member hires a lawyer to assist with their claim, Canada will pay that lawyer a separate amount equal to 5% of the Category 2 payment the Class Member receives.

The lawyer can also apply for up to a further 5% paid by Canada with court approval. Canada will pay for this legal assistance in addition to the compensation paid to you.

No payment for legal fees will come out of your compensation unless you specifically agree, and the lawyer obtains a court order approving such payment.

### **31. Are family members able to receive compensation on behalf of a deceased family member?**

If a Class Member died on or after July 24, 2016, and their claim was submitted before their death, any compensation will be paid to the Estate.

If a Class Member died on or after July 24, 2016, and had not yet submitted a claim, their Executor / Administrator / Trustee / Liquidator can submit a claim on their behalf and any compensation will be paid to the Estate.

If there is no Executor / Administrator / Trustee / Liquidator, the compensation will be paid in accordance with the Court-approved estates protocol. You can locate the estates protocol on the Indian Boarding Homes Class Action website at <https://boardinghomesclassaction.com>.

No claim can be made for a Class Member who died before July 24, 2016.

### **32. What documents do I need to apply for compensation?**

You must provide the following documents with your claim form:

- A copy (front and back) of one piece of Government ID. Accepted pieces of ID are:
  - Passport
  - Driver's License
  - Provincial and Territorial Photocard (for example Ontario Photo Card)
  - Certificate of Indian Status (Status Card)
  - Inuit Beneficiary Card
  - Health Card that has a photo (Quebec only)
- A void cheque or a direct form from your bank (if you choose to be paid by direct deposit instead of cheque).



**33. What if I do not have government-issued photo identification?**

If you do not have government-issued photo identification, you must complete the statutory declaration in the claim form.

**34. What if I do not have a home/mobile phone number or email address?**

If you do not provide a phone number or email address, we will communicate with you by mail.

**35. When can I submit a claim and when is the deadline?**

You can submit a claim any time between the Implementation Date and the Claim Deadline, which is two years and six months after the Implementation Date.

**36. Can I request an extension if I cannot submit my claim by the deadline?**

You can submit a request for a deadline extension which will be reviewed by the Exceptions Committee. The extension request forms will be available only after the deadline has passed. Your extension request and claim form must be submitted within six months of the Claim Deadline. Extension request forms and claim forms sent after that date will not be considered.

**37. What happens after I submit my claim?**

An acknowledgement will be sent within 4 to 8 weeks to let you know that your claim was received. If you do not receive a confirmation within 4 to 8 weeks of submitting your claim, please contact the Claims Administrator to verify that your claim was received.

The Claims Administrator will process your claim to determine whether you are eligible to receive compensation. Throughout this process you may check on the status of your claim through the website, by phone, email, or mail.

**38. How will I get paid if my claim is approved?**

On the claim form you will select whether to receive a cheque, or to have the payment deposited directly into your bank account.

**39. When will I get paid if my claim is approved?**

An acknowledgement will be sent to let you know your claim was received. The Claims Administrator will process your claim to determine whether you are eligible to receive



compensation. Throughout this process you may check on the status of your claim through the website, by phone, email, or mail.

There will be thousands of claims submitted and the process is expected to take several months for review. In addition, Category 1 claims must be reviewed before your Category 2 claim can be processed. Claim forms submitted without all the required information cannot be processed until the information is received. If your claim is missing information, the Claims Administrator will advise you by email or mail. Please inform the Claims Administrator of any changes in your contact information until you receive payment.

**40. Will I lose social assistance if I get settlement money?**

Settlement money should not impact social assistance you may be receiving.

**41. Can I request status updates for my claim?**

Throughout this process you may check on the status of your claim through the website, by phone, email, or mail.

**42. If my claim is denied, can I appeal?**

If your claim is denied you will be notified by email or mail, depending on the preferred contact method you indicated.

You can file for a reconsideration by the Independent Reviewer. The denial notification will include a deadline by which you must file a reconsideration request and a copy of the reconsideration form. You will be able to add more information in your reconsideration form if you wish.

**43. If my Category 2 claim is approved at a lower compensation level than I expected, can I appeal?**

You can appeal by filing for a reconsideration by the Independent Reviewer. Your notification of approval at a lower compensation level will include a reconsideration form and deadline by which you must file a reconsideration if you choose. You will be able to add more information in your reconsideration form to support your request.

**44. Are there any mental or emotional support services available during the claims process?**

If you need mental health assistance or emotional support, please contact Hope for Wellness at 1-855-242-3310 or online at [www.hopeforwellness.ca](http://www.hopeforwellness.ca).

More information on the health services available and how to access supports can be found at: <https://boardinghomesclassaction.com/resources>.

#### **45. What happens to my claim when it is submitted? How will I know my information is kept confidential?**

The security and privacy of Class Member information is of the highest importance. Any personal information received will be kept confidential and not be used for any purpose other than the Settlement process. If you have any questions, please visit the Indian Boarding Homes Program Class Action website at [www.boardinghomesclassaction.com](http://www.boardinghomesclassaction.com) or call the Claims Administrator's contact centre at 1-888-499-1144.

### **Contacting Us**

#### **46. Where can I find a list of contacts to get more information?**

- Resources and contact information are available on the Indian Boarding Homes Program Class Action Website at <https://boardinghomesclassaction.com>
- The Claims Administrator is reachable at:
  - By email: [claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com)
  - By phone: 1-888-499-1144
  - By mail: **Attn: Indian Boarding Homes Class Action**  
18 York Street, Suite 2500,  
Toronto, Ontario, Canada  
M5J 0B2
- Class Counsel is reachable at:
  - For Class Members from provinces and territories other than Quebec:
    - By email: [ibhclassaction@callkleinlawyers.com](mailto:ibhclassaction@callkleinlawyers.com)
    - By phone: 1-604-874-7171
    - By mail: **Klein Lawyers LLP**  
1385 W 8th Avenue #400  
Vancouver, BC V6H 3V9

For Class Members from Quebec only:

- By email: [percival@dionneschulze.ca](mailto:percival@dionneschulze.ca)
- By phone: 1-888-232-3778
- By mail: **Dionne Schulze s.e.n.c.**  
507 Place d'Armes, Suite 502  
Montréal, QC H2Y 2W8

#### **47. What are the Claims Administrator's hours of operation?**

The Claims Administrator's call centre will be open from 9am to 7pm EST, Monday to Friday. You can mail or email at any time.

#### **48. What languages are services available in?**

Services are available in English and French. Best efforts will be made if additional language support is required.

#### **49. What can I contact the Claims Administrator about?**

You can contact the Claims Administrator with any questions about the class action settlement or the claim process.

They can also provide contacts for mental health or legal support services.

#### **50. What is the average wait time for my call to get answered?**

The average wait time for calls to the Claims Administrator's call centre will depend on the volume of calls. If there is a wait, you can request a callback.

You can also schedule a call during regular operating hours by emailing your request to [claims@boardinghomesclassaction.com](mailto:claims@boardinghomesclassaction.com).

#### **51. How is my information recorded and stored?**

Calls to the Claims Administrator's call centre are not recorded.

Any personal information received will be kept confidential and not be used for any purpose other than the Settlement process or to acknowledge and record your Opt-Out of the Class Action. If you have any questions, please visit the Indian Boarding Homes Program Class Action website at [www.boardinghomesclassaction.com](http://www.boardinghomesclassaction.com) or call the Claims Administrator's call centre at 1-888-499-1144.



## **52. Can my information be returned to me?**

The Claims Administrator will destroy all Class Member information and documentation in its possession on a schedule beginning no sooner than two years after completing the compensation payments, according to a protocol to be developed by the Parties and approved by the Court. The protocol to be approved by the Court will provide a right for a Class Member or their Estate Executor or Personal Representative to specifically request the return to them of their information and documentation by the Claims Administrator.

Please note that documents included with your application should be copies, not originals.