

The residential schools settlement process has begun. The healing continues.

This is a court authorized notice. This is not a solicitation from a lawyer.

The Indian residential schools settlement process has started. First, Courts across Canada will hold public hearings to consider whether the settlement is fair, reasonable, and adequate. Former students and their families may object to the settlement and ask to speak at one of the hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it. The settlement provides:

- At least \$1.9 billion dollars available for “common experience” payments for former students who lived at the schools;
- A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each, or more money for those who also show a loss of income;
- \$125 million to the Aboriginal Healing Foundation for healing programmes, \$60 million for truth and reconciliation to document and preserve the experiences of survivors, and \$20 million for national and community commemorative projects;
- Up to about \$100 million for the lawyers who represent former students across Canada; and
- Other things detailed in a full settlement agreement available by calling or going to the website below.

YOUR LEGAL RIGHTS AND OPTIONS:	
GO TO A HEARING	Ask to speak in Court about the settlement.
OBJECT	Tell a Court why you are against the settlement.
DO NOTHING	Await the outcome of the hearings.
FUTURE RIGHTS	If all the Courts approve the settlement, another notice will explain how you may request a payment or ask to be excluded from the settlement.

These rights and options—and the important dates—are explained in this notice.

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

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BASIC INFORMATION

1. Why was this notice issued?

Courts authorized this notice because you have a right to know about a proposed settlement of the class action lawsuits and about your options, before the Courts decide whether to approve the settlement. This notice explains the lawsuits, the settlement, and your legal rights. At this time you have the right to object to the settlement and speak at a hearing.

Multiple Courts in Canada, including the Québec Superior Court, the Superior Court of Justice for Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Supreme Court of the Yukon Territory, The Nunavut Court of Justice, and the Supreme Court of the Northwest Territories, ("Courts") are overseeing all of the various lawsuits and class action lawsuits. The cases together are known as *In re Residential Schools Class Action Litigation*.

The former residential school students and their families are called the "Plaintiffs," and the entities they sued are called the "Defendants." The Defendants include the Government of Canada ("Government") and various church and church-related entities including The General Synod of the Anglican Church of Canada, The Dioceses of the Anglican Church of Canada, The Presbyterian Church in Canada, The United Church of Canada, The Methodist Church of Canada, and various Catholic entities (together called the "Churches").

2. What is the lawsuit about?

Residential schools were boarding schools for Aboriginal children that operated throughout Canada for over a century. Canada and religious organizations operated the schools. Harms and abuses were committed against the children. Various lawsuits were started against the Government, the Churches, and others, based on the operation and management of residential schools in Canada.

3. Why is this a class action?

In a class action one or more people called "class representatives" sue on behalf of people who have similar claims. All of these people are a "Class." The courts resolve the issues for everyone affected, except for those who exclude themselves from the Class.

4. Why is there a settlement?

Both sides agreed to a settlement to avoid the delays, costs, and risks of trials. The class representatives and the lawyers representing them think the settlement is best for former students.

WHO IS COVERED BY THE SETTLEMENT?

It has been estimated that approximately 80,000 living Aboriginal people are former students of the residential school system. To see if you are eligible for a payment, you first have to determine whether you are included.

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

5. How do I know if I am part of the settlement?

The settlement includes former students and family members of recognized residential schools in Canada. This includes Aboriginal people from First Nations, Inuit, Inuvialuit, Métis, or former students from any other community. Those who lived at the schools, those who attended during the day, and family members of former students are all affected by the settlement, but may be eligible for different benefits, so read carefully because your legal rights may be affected.

6. Which schools are included?

The list of recognized residential schools and hostels is available at www.residentialschoolsettlement.ca or by calling toll-free 1-866-879-4913. If you attended a residential school that is not on the list, you may request that an institution be added to the list of recognized schools. Submit the name of the school you think should be added and any relevant information about it at the website or by writing to: Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9. The Government will research the proposed institution and determine whether it should be added to the list of recognized residential schools. If a school you suggest is not added, you may appeal that decision.

7. What if I have my own lawsuit against the Government and/or Churches?

Except for people with current residential school lawsuits in Québec, you are included even if you have a separate lawsuit. Read this notice carefully and talk to your lawyer as soon as possible to see how it will affect your rights to continue with that lawsuit. See more about Québec lawsuits in Question 35.

8. I'm still not sure if I'm included in the settlement.

If you are not sure whether you are included, you may call 1-866-879-4913 with questions.

THE SETTLEMENT BENEFITS—WHAT YOU GET

9. What does the settlement provide?

The settlement provides:

- **Common Experience Payment (“CEP”) Fund** – At least \$1.9 billion, plus interest, will be made available for lump sum payments to former students who lived at one of the residential schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that. If there is not enough money in the fund to pay all valid claims, the Government will add money to the fund. However, if there is any money remaining in the CEP fund after all valid claims are paid: (1) if the amount is less than \$40,000,000, all of the remaining money will be given to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit, and Métis people; (2) if the amount is greater than \$40,000,000, former students who submit valid claim forms will get an equal share of “Personal Credits,” not cash, up to a maximum of \$3,000. These credits can be used for personal, family, or group education services. Any balance remaining in the CEP fund after paying the Personal Credits will be paid to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit and Métis people.

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- **Independent Assessment Process (“IAP”)** – A new independent assessment process (replacing the alternative dispute resolution process which will end if the settlement is approved) allows those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to qualify for between \$5,000 and \$275,000 each. More, up to a maximum of \$430,000 total, may be awarded if you also show a loss of income. There is a point system based on different abuses and resulting harms. The more points the greater the payment. There is a review process if you don’t agree with the amount granted to you. An amount for future care and a contribution of 15% of the total award to help with legal costs is also available.
- **Healing Fund** – \$125 million will be given to the Aboriginal Healing Foundation for a five year period to fund healing programmes for former students and their families. This is in addition to the \$390 million that the Government has previously funded to establish the Aboriginal Healing Foundation for the benefit of both living former students and the families of deceased students.
- **Truth and Reconciliation Fund** – \$60 million to research, document, and preserve the experiences of the survivors and their families for future generations.
- **Commemoration Fund** – \$20 million for national and community commemorative projects.

More details are in a document called the [Settlement Agreement](#) which is available at www.residentialschoolsettlement.ca or by calling 1-866-879-4913.

10. Who can get a common experience payment (CEP)?

Any former student who was alive on May 30, 2005, and who lived at a residential school before December 31, 1997 is eligible for a lump sum payment from the CEP fund. You don’t have to prove you were abused to get a CEP.

11. What about former students who have passed away and their families?

Claims on behalf of former students who died recently will be allowed. Specifically, all former students who were alive on May 30, 2005 are eligible for a CEP. Also, any former student who attended the Mohawk Institute Residential Boarding School in Brantford, Ontario between 1922 and 1969 and was alive on October 5, 1996, is also eligible for a CEP. Family members of any residential school student, whenever they died, will be able to take advantage of the healing programmes funded by the settlement.

12. Can I get a payment if I previously brought an abuse claim?

Yes, even if you already won, lost, or settled an abuse claim, either in court, by negotiation, or under the Government’s alternative dispute resolution (“ADR”) process you are still eligible for a CEP, and it’s possible that you may qualify for additional money under the new IAP.

13. What about my abuse claim in the current ADR process?

Until the Courts approve the settlement, the current ADR process will continue to receive applications, hear claims, and award payments to former students for sexual, physical, or other abuse covered under that programme. If the settlement is approved by all the Courts, applications to the current ADR process will end. Many claimants who applied to the ADR process before the ADR process ends will have a choice to continue in the ADR process or move to the IAP once the settlement becomes final. More detailed information on the IAP is in Schedule D of the Settlement Agreement which is available at www.residentialschoolsettlement.ca or by calling toll-free 1-866-879-4913.

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

14. Who is eligible for the independent assessment process (IAP)?

If you suffered sexual or serious physical abuse, or other abuses that caused serious psychological effects, you may be eligible if: a) you are a former student who attended and lived at a residential school, or b) you were invited to take part in an authorized school activity (while under the age of 21) even if you did not live at a school.

15. Can I get a CEP if I also have an IAP claim?

Yes.

16. Will my social assistance benefits be affected if I take the CEP?

The Government is working with provincial and territorial governments, and all federal departments to try to ensure that any payment you receive will not affect the amount, nature, or duration of any social benefits or social assistance benefits received by former students.

17. Will the CEP be taxable?

No. The Government has determined that CEP payments will not be taxable.

18. Will mental health and emotional support services continue?

Yes, the Government will continue to provide existing mental health and emotional support services and agrees to make those services available to CEP recipients and those former students resolving abuse claims through the IAP, as well as those participating in truth and reconciliation, or commemorative projects.

19. What am I giving up in exchange for the settlement benefits?

If the settlement becomes final, former students and family members will be releasing the Defendants and all related people and entities from all legal claims pertaining to their attendance at residential schools. All the “released” claims are described and identified in Article 11 of the Settlement Agreement available at www.residentialschoolsettlement.ca or by calling 1-866-879-4913. The Settlement Agreement describes the released claims with specific descriptions, in necessarily accurate legal terminology, so read it carefully, and talk to a lawyer if you have questions about the released claims or what they mean. The lawyers involved in the settlement are listed at www.residentialschoolsettlement.ca.

HOW TO GET A PAYMENT

20. How can I get a payment?

The claims process has not yet started. If, and after, the Courts approve the settlement you will be able to apply for payments. A follow-up notice will explain how you can do this.

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

21. When will I get a payment?

If the Courts approve the settlement (see “The Court Hearings to Approve the Settlement” below), there will be a period of several months to allow people to exclude themselves from the settlement. Then people may apply for payments, and payments will be made if the Courts approve the settlement and after any appeals are resolved. Please be patient.

22. What about advance payments for the elderly?

Any eligible former residential school student, 65 years of age and older as of May 30, 2005 may apply until December 31, 2006 for an advance payment of \$8,000. The advance payment application form is available by calling 1-800-816-7293, or by visiting www.irsr-rqpi.gc.ca.

THE LAWYERS

23. Do I have a lawyer in the case?

If you don't already have your own lawyer, the website lists the law firms that signed onto the settlement, and they represent former students and family members. If you want to, you can contact one of the lawyers on the list for advice, or you may hire a different lawyer.

24. Will I have to pay a lawyer to get a CEP?

You don't have to hire and pay a lawyer to submit a claim to get a common experience payment. However, if you do hire a lawyer, or if you have already hired a lawyer, you should ask him or her if they will assist you in getting a CEP without charging for that work.

25. How will the lawyers be paid?

The Government will pay all of the lawyers listed at the website a total of up to approximately \$100 million in fees, plus costs and taxes, for their work to represent former students, including their work on the lawsuits and negotiations for the settlement. The fees, costs, and taxes that the Courts award will not reduce the money available for former students.

26. Will I have to pay a lawyer to get an IAP payment?

You may hire a lawyer to represent you with a serious abuse claim. The IAP is necessarily complex and it is advisable to have a lawyer working on your behalf to help you get the payment you may be eligible for. The lawyers, which may include the same lawyers listed at the website, will charge you additional fees for any IAP payments they get for you. If you are represented by a lawyer, the IAP payments will be adjusted by the Government to provide an extra 15% towards any fee a lawyer may charge you, but you must pay anything beyond that.

OBJECTING TO THE SETTLEMENT

You can tell the Courts if you don't agree with the settlement or some part of it.

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

27. How do I tell the Court if I am against the settlement?

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, call toll free 1-866-879-4913, or send an email to objections@residentialschoolsettlement.ca. Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number. Tell us if you have a lawyer, who it is, and if you plan to come and speak at the hearing affecting you.

28. Do I need a lawyer to object?

You can object without paying a lawyer. If you want to be represented by your own lawyer, you may hire one at your own expense.

29. If I object can I still get a payment later?

Yes. If you object, but the settlement is approved, you will still be able to apply for a payment, as long as you don't exclude yourself (see "Excluding Yourself from the Settlement" below).

THE COURT HEARINGS TO APPROVE THE SETTLEMENT

The Courts will hold hearings to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

30. How will the Courts decide whether to approve the settlement?

Nine different Courts will hold hearings based on the schedule below, to consider whether to approve the settlement. At the hearings, the Courts will consider whether the settlement is fair, reasonable, and adequate. If there are objections the Courts will consider them at the hearings. All of the Courts must decide to approve the settlement, before the settlement becomes final. We do not know how long these decisions will take.

HEARING	LOCATION	HEARING DATE	TIME
Ontario	Ontario Superior Court of Justice Court House 361 University Avenue Toronto, ON M5G 1T3	August 29-31, 2006	10:00 a.m.
Québec	Superior Court of Québec Palais de justice 1 Notre-Dame Street East Montreal, QC H2Y 1B6	September 8, 2006	9:30 a.m.
Saskatchewan	Court of Queen's Bench Court House 2425 Victoria Avenue Regina, SK S4P 3V7	September 18-20, 2006	10:00 a.m.
Northwest Territories	Court House 4903 - 49th Street Yellowknife, Northwest Territories X1A 2N4	October 3-4, 2006	10:00 a.m.

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Manitoba	Court of Queen's Bench Law Courts Building 408 York Avenue Winnipeg, MB R3C 0P9	October 5-6, 2006	10:00 a.m.
Nunavut	Nunavut Court of Justice Arnakallak Building (Building #224) Iqaluit, Nunavut X0A 0H0	October 10-11, 2006	9:30 a.m.
British Columbia	The Supreme Court of British Columbia The Law Courts 800 Smithe Street Vancouver, B.C. V6Z 2E1	October 10-12, 2006	10:00 a.m.
Alberta	Court of Queen's Bench Court House 611 - 4 St. S.W. Calgary, AB T2P 1T5	October 12-13, 2006	10:00 a.m.
Yukon	Supreme Court of the Yukon Territory 2134 Second Avenue Whitehorse, Yukon Y1A 5H6	October 16-17, 2006	10:00 a.m.

31. Which hearing affects me?

The Court hearing affecting you is based on where you now live, not where you went to school, with one exception: If you attended the Mohawk Institute Residential Boarding School in Brantford, Ontario, the Ontario hearing affects you no matter where you now live. Also, to reduce the number of hearings, the Court in Ontario will oversee the claims from people living in some other places as well:

WHERE YOU LIVE	COURT HEARING AFFECTING YOU
Labrador	Ontario
New Brunswick	Ontario
Newfoundland	Ontario
Nova Scotia	Ontario
Ontario	Ontario
Outside Canada	Ontario
Prince Edward Island	Ontario
Québec	Québec
Northwest Territories	Northwest Territories
Nunavut	Nunavut
Yukon	Yukon
Alberta	Alberta
Manitoba	Manitoba
Saskatchewan	Saskatchewan
British Columbia	British Columbia

QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT WWW.RESIDENTIALSCHOOLSETTLEMENT.CA

32. Do I have to come to a hearing?

No. The lawyers will answer any questions the judges may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to a Court hearing to talk about it. As long as you submit an objection by **August 25, 2006**, it will be considered at the hearing affecting you.

33. Which hearing may I attend?

You may attend any of the hearings. However, if you want to speak you must attend the hearing held at the Court that is in charge of your claims, described in question 31 above.

34. May I speak at a hearing?

You are welcome to go to the hearing affecting you and ask the Court for permission to speak. You may also pay a lawyer to attend and speak for you, but it's not required.

EXCLUDING YOURSELF FROM THE SETTLEMENT

35. How do I get out of the settlement?

Even if the settlement is approved, after the hearings and after considering any objections, you will have an opportunity to exclude yourself and keep any rights you may have to sue over these claims. If the settlement is approved, a follow-up notice will explain how you can do this. If you don't exclude yourself at that point, you will be giving up all legal claims against the Defendants and related people and entities, pertaining to attendance at residential schools (see Question 19 above).

Please note that in Québec the law is different: if you have a current lawsuit for residential school abuse in the Province of Québec, it will have to be discontinued in order to get any payment or benefit from this settlement. Talk to your lawyer as soon as possible. Other people without individual lawsuits pending in Québec will have the same exclusion rights as others in Canada.

GETTING MORE INFORMATION

36. How do I get more information?

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.residentialschoolsettlement.ca or by calling 1-866-879-4913. You may also write with questions to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.