

No. S217852
Vancouver Registry

In the Supreme Court of British Columbia

Between

ADRIANNA ZELENSKI

Plaintiff

and

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH
COLUMBIA**

Defendant

BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996, c. 50

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE JUSTICE)
MACDONALD) 08 / May / 2026
)

ON THE APPLICATION of the Plaintiff coming on for hearing at the Courthouse, 800 Smithe Street, Vancouver, BC, on 08/May/2026 and on hearing Jen Winstanley, Michelle Segal, Chya Mogerman, and Romi Laskin, counsel for the Plaintiff, and Lee Mauro, Sergio Ortega, and Kayla Fast, counsel for His Majesty the King in right of the Province of British Columbia (the "Defendant");

ON READING the materials filed, including the settlement agreement entered into with the Defendant, dated April 30, 2026 (the "**Settlement Agreement**"),

AND ON BEING ADVISED that Castlemain Group has consented to being appointed as notice provider in accordance with the terms of this Order;

AND ON BEING ADVISED that Verita Global has consented to being appointed as claims administrator in accordance with the terms of this Order;

AND ON BEING ADVISED that the Plaintiff and the Defendant consent to this Order;

THIS COURT ORDERS that:

Certification for Settlement

1. Except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order;
2. This Proceeding is certified as a class proceeding as against the Defendant, for the purpose of settlement only, pursuant to the *Class Proceedings Act*, RSBC 1996, c 50, and subject to the terms of the Settlement Agreement;
3. The “**Class**” and “**Class Members**” certified for the purpose of settlement with the Defendant are defined as:

All persons who were the subject of a Birth Alert during the Class Period;

4. The **Class Period** is defined as the period of time between May 31, 1980, and the date of this Order.
5. The “**Indigenous Subclass**” and “**Indigenous Subclass Members**” certified for the purpose of settlement with the Defendant are defined as:

Class Members who are of Indigenous ancestry and self-identify as Indigenous by making a statutory declaration in the form attached as Schedule “C” to the Settlement Agreement or providing a Certificate of Indian Status (commonly known as a “status card”), Métis registry or citizenship number, Inuit disc or beneficiary number, or a Temporary Confirmation of Registration Document (commonly known as “registration”).

6. The Plaintiff, Adrianna Zeleniski, is appointed as the representative plaintiff for the Class;
7. The Proceeding is certified on the basis that the following issue is common to the Class:

Did the issuance of Birth Alerts breach the rights of Class Members? If so, what damages, if any, did Class Members suffer?

Appointment of Claims Administrator, Notice Provider, and Notice Approval

8. Verita Global is appointed as the Claims Administrator;
9. Castlemain Group is appointed as the Notice Provider
10. The plan of dissemination for the notices (the “**Initial Notice Plan**”) substantially in the form attached as **Appendix “A”** is approved;
11. The form and content of the Long Form Notice for Direct Notice Recipients, substantially in the form attached as **Appendix “B”** is approved;

12. The form and content of the Long Form Notice for Indirect Notice Recipients, substantially in the form attached as **Appendix "C"** is approved;
13. The form and content of the Short Form Notice, substantially in the form attached as **Appendix "D"** is approved;
14. The form and content of the Press Release, substantially in the form attached as **Appendix "E"** is approved;
15. The notices shall be disseminated in accordance with the Initial Notice Plan approved as part of this Order;
16. The content of the Claim Form, substantially in the form attached as **Appendix "F"**, is approved;
17. The invoices issued by the Claims Administrator, up to \$190,000, and the Notice Provider, up to \$610,000, prior to the Approval Hearing will be paid out of the Settlement Fund as they come due;
18. Reasonable expenses incurred by the Provincial Health Authorities to request and review Claimants' hospital records will be paid out of the Settlement Fund;
19. The Defendant shall disclose personal and contact information of a list of individuals for whom the Defendant has identified evidence in MCFD records that the individual may have been the subject of a Birth Alert (the "Direct Notice Recipients") to Class Counsel;
20. The Administrator is authorized to use any information contained in the list of Direct Notice Recipients to search the database of Equifax Inc. in order to locate and communicate with Direct Notice Recipients;

Opt-Out and Objection Procedures

21. Any member of the Class who wishes to opt-out of the this Proceeding must do so by sending a written election to opt-out to the Notice Provider, by mail, courier or email ("**Opt-Out Election**") to be postmarked on or before 11:59 pm Vancouver (Pacific) time on the date that is six months after the Notices are first published in accordance with the Notice Plan (the "**Opt-Out Deadline**");
22. No later than the date that is thirty (30) days after the Opt-Out Deadline, the Notice Provider shall:
 - (a) provide the number of valid Opt-Out Elections the Notice Provider received; and
 - (b) deliver a report to Class Counsel and Counsel for the Defendant containing the names of each Class Member who has validly and timely opted out as well as any reasons given for opting out;

23. Any Settlement Class Member who has validly opted out of the Proceeding is not bound by the Settlement Agreement, and will not be entitled to receive any share of compensation payable in connection with the Settlement Agreement;

24. Settlement Class Members who wish to file with the Court an objection or comment on the Settlement Agreement, the Distribution Protocol or the ability of Class Counsel to seek reimbursement of fees of up to 25% of the settlement amount plus disbursements and taxes shall deliver to the Notice Provider by mail, courier or email a written statement, to be postmarked or received by the Notice Provider by no later than 11:59pm Vancouver (Pacific) time on the date that is 14 days prior to the Approval Hearing. After receiving same, Class Counsel will provide a copy of any such objection or comment to Counsel for the Defendant as quickly as reasonably possible.

25. If the Settlement Agreement is not approved, is terminated in accordance with its terms or otherwise fails to take effect for any reason, paragraphs 1 to 24, but excluding paragraphs 17-18, of this Order shall be deemed to have been set aside and declared null and void and of no force or effect, without the need for any further Order of this Court. In those circumstances, a case management conference shall be convened to seek directions, including in respect of the need for and form and content of additional notice to Class Members.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of lawyer for the plaintiff,
Adrianna Zeleniski

Jen Winstanley



Signature of lawyer for the defendant,
His Majesty the King in right of the
Province of British Columbia

Lee Mauro

By the Court



Registrar



No. S217852
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BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996, c. 50

ORDER MADE AFTER APPLICATION

CFM LAWYERS LLP
#400 – 856 Homer Street
Vancouver, BC V6B 2W5

Tel: (604) 689-7555
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Email: service@cfmlawyers.ca

Via LMF

Appendix "A"

BC Birth Alerts Class Action

Draft Notice Plan

1. Overview

This Notice Plan outlines the process for providing notice of:

- the certification of the action for settlement purposes and
- the hearing for approval of the Settlement Agreement and Distribution Protocol, and approval of Class Counsel's fees and disbursements.

The Plan is designed to ensure that Class Members are informed, supported, understand their rights and are able to participate meaningfully in the Settlement Approval process.

1.1 Claimant-Centred, trauma-informed and culturally grounded approach

This Notice Plan is grounded in:

- Trauma-informed practice
- Cultural safety and humility
- Indigenous-grounded communications principles
- Plain language accessibility
- Low-bandwidth and literacy-appropriate tools
- Experience-based messaging

Many Class Members do not know a "birth alert" was issued in their name. Notice materials will therefore anchor messaging in lived experience, including unexpected involvement of child welfare workers at, or immediately following, childbirth.

The Notice Provider will also ensure Class Members can access mental health, cultural, and wellness supports at all key touchpoints.

2. Objectives of the Notice Plan

1. Ensure Class Members understand:
 - Their potential eligibility
 - The meaning and implications of the Settlement
 - The Settlement Approval Hearing
 - Their right to opt out or object
 - The availability of the Online Claims Portal during this period and how to submit a Claim
 - What happens in the Claims Process
 - How to access resources and supports
2. Reduce confusion and emotional distress by providing clear, plain-language, supportive communications.

3. Respect the diversity of the Class by using culturally appropriate, accessible, and multimodal communications in formats that reflect urban, rural, reserve, and remote realities.
4. Maximize reach and awareness through a mix of digital, print, radio, community-based, and partner-assisted channels.
5. Build trust through early and ongoing engagement with Indigenous and community organizations.

3. Notice Period

Notice will begin no later than six (6) months prior to the Settlement Approval Hearing (“Notice Date”). During this period:

- The Online Claims Portal will be open for Claim submission.
- Class Members may elect to opt out of the Settlement Class.
- The Notice Provider will monitor reach, engagement, and misinformation and will adjust tactics as required.

Class Counsel may amend the Notice Plan, in consultation with the Notice Provider, to ensure the notice remains effective, culturally appropriate, and responsive to claimant needs.

4. Roles and responsibilities of the Notice Provider

4.1 Communications and content

- Develop plain-language, trauma-informed, experience-based notice materials.
- Produce materials in multiple formats: written, graphic, video, audio, and Indigenous-language versions (as appropriate).
- Ensure all materials adhere to accessibility standards (WCAG 2.1 AA) and plain-language criteria.

4.2 Settlement website

- Build and maintain an accessible, low-bandwidth optimized, mobile-first Settlement Website.
- Provide:
 - A toll-free number and email
 - All required Notices and detailed FAQs
 - Step-by-step guidance on submitting a Claim and accessing health records
 - Information on how to access supports, including Claims Helpers
 - Links to cultural, wellness, legal, and technical supports

4.3 Toll-Free Information line

- Operate a dedicated trauma-informed call centre staffed by trained Claims Helpers.
- Provide support in English and coordinate access to French and Indigenous-language interpreters as needed.
- Provide information on Claims, records requests, deadlines, objections, and wellness supports.

4.5 Paid media and outreach campaigns

Develop and implement a multi-channel campaign including:

- A Digital Campaign will be purchased and distributed over various websites and mobile applications, including Facebook, Instagram, Reddit and Google. The Digital Campaign will target approximately 2.5 million impressions.
- Posters and flyers in community spaces (Friendship Centres, shelters, clinics, libraries, transit hubs) with contact information and QR codes.
- Print placements
- Outreach through partner networks

4.6 Cultural, mental health and community support

- Ensure culturally grounded supports such as Elders/Knowledge Keepers are available where appropriate.
- Ensure all touchpoints provide contact information for mental health and crisis resources.

4.7 Claims Helper support

- Provide one-on-one assistance via phone, video,
- Assist Claimants to:
 - Complete their Claim Forms
 - Understand eligibility
 - Respond to missing information requests
 - Navigate emotional distress
- Deliver services using trauma-informed and culturally safe protocols.

4.8 Reporting

Provide regular reports to Class Counsel, the Claims Administrator, the Defendant, and the Court on:

- Reach and engagement metrics
- Info Line volumes
- Website traffic
- Community session attendance
- Issues monitoring, misinformation, and responses
- Adjustments made to optimize notice effectiveness

5. Notice Components

5.1 Direct Notice Recipients

5.1.1 Long Form Notice (Direct Notice Recipients) and Other Forms of Direct Notice

The Defendant will provide Class Counsel with the most current contact information for the Direct Notice Recipients that is available to the Defendant.

Class Counsel will apply for a Court order authorizing the Claims Administrator to use any information contained in the list of Direct Notice Recipients to search the database of Equifax Inc. in order to locate and communicate with Direct Notice Recipients;

The Defendant and Class Counsel will work collaboratively and apply for such court orders as are necessary for Class Counsel or the Defendant to employ data matching with provincial ministries or Crown corporations to ensure the contact information in the list of Direct Notice Recipients is as reliable and current as possible.

Direct notice to Direct Notice Recipients will follow this sequential order:

1. Mail and/or email of the Long Form Notice (Direct Notice Recipients);
2. Telephone, if available;
3. SMS, if available;
4. Indigenous-led and community based outreach; and
5. Local radio in northern communities.

5.1.1.1 Mail/ Email:

As soon as practicable after the Notice Date, the Long Form Notice (Direct Notice Recipients) shall:

- Be mailed or emailed to all individuals identified in the Digital MCFD File as Class Members.
- Use experience-based language to help individuals understand the relevance of the Notice.
- Provide clear instructions on accessing the Settlement Website, hotline, and Claims Portal.
- Set out available mental health and wellness supports.

5.1.1.2 Telephone

If Direct Notice Recipients do not respond to the mailed or emailed Long Form Notice (Direct Notice Recipients), Claims Helpers will make three attempts to use any available telephone numbers to establish contact with the Direct Notice Recipient. Telephone contact will utilize a script that will not refer to the settlement or class action until identity has been verified.

5.1.1.3 SMS

If Direct Notice Recipients do not respond to telephone contact, Claims Helpers will make three attempts to send SMS messages to any available SMS enabled telephone numbers listed for the Direct Notice Recipient. SMS messages will be short and neutral, and will not refer to the settlement or class action

5.1.1.4 Outreach

If Direct Notice Recipients do not respond to SMS contact, Claims Helpers will utilize community-based, and where appropriate, Indigenous-led outreach to locate and establish contact with Direct Notice Recipients. Such contact may include quiet outreach via NGOs and other community service organizations, contact with Band offices/Nations, and contact with urban Indigenous service organizations. Outreach messaging will be generic and benefit-focused and would not make reference to the settlement or class action.

5.1.1.5 Radio

If Direct Notice Recipients do not respond to outreach, Claims Helpers may utilize local radio in northern communities where radio has high reach in remote areas. Radio reads will be generic and benefit-focused and will not make reference to the settlement or class action.

5.2 Long Form Notice (Indirect Notice Recipients)

The Long Form Notice (Indirect Notice Recipients) will:

- Be posted on the Settlement Website and Class Counsel's website.
- Be mailed/emailed to all individuals who have contacted Class Counsel but do not appear in the Digital MCFD File.
- Be available by request through Info Line or email.
- Include links to supports and to "What to do if you're unsure whether this happened to you."

5.3 Short Form Notice

The Short Form Notice will be:

- Distributed to organizations, service providers, and governments listed in Schedule A.
- Provided in printable, shareable, and visual-first formats suitable for posters and social media tiles.
- Accompanied by partner toolkits including suggested emails, posts, and FAQs.
- Requested to be displayed in places accessed by women facing poverty, housing insecurity, violence, substance-use challenges, or limited digital access.

5.4 Press release and earned media

At key points in the implementation of the Settlement, trauma-informed, plain-language press release will be:

- Distributed (via NationTalk and through direct media pitching) to mainstream, Indigenous, multicultural, and regional outlets, including IndigiNews, APTN, CBC Indigenous, and other media sources.
- Paired with a media backgrounder providing context on birth alerts and the harms described in the litigation.
- The Notice Provider will proactively share the information with journalists and media outlets.

5.5 Digital advertising campaign

Digital ads will:

- Use plain language and may reference common lived experiences (e.g., unexpected involvement of child welfare at the hospital).
- Target Class Member populations through a combination of geography, demographics, interests, and community-identified channels.
- Ensure all ads are optimized for low bandwidth and mobile devices.

- Avoid any imagery that could be triggering.

5.6 Print, and Out-of-Home

The Notice Provider may deploy:

- Audio recorded public service announcements.
- Regional print ads and Indigenous publications.
- Posters and flyers in public spaces including community centres, shelters, health clinics, Friendship Centres, transit stops, and areas offering free Wi-Fi.

All materials will be plain language and visually accessible.

6. Messaging approach

All notice materials will be consistent with the following messaging principles:

1. **Experience-first:** Many Class Members may not recognize the term “birth alert”; communications will describe the experience (e.g., unexpected child welfare intervention at or around childbirth).
2. **Upfront explanation of limitations:** Many people will have experiences that are similar or identical to class members but will not be class members. This message will be included in noticing.
3. **Plain language** explaining:
 - What happened
 - Who may be eligible
 - What the Settlement means
 - How to submit a Claim
4. **Supportive tone:** acknowledging the potential emotional difficulty of reading the Notice.
5. **No legal jargon unless required:** and when required, definitions will be provided.
6. **Safety and choice:** Claimants may choose to engage or not.
7. **Transparency:** about timelines, processes, and next steps.

7. Accessibility

All notice materials and tools will comply with:

- WCAG 2.1 AA accessibility standards (internationally recognized rules that ensure websites and digital content are usable by people with disabilities, such as those who use screen readers, need captions, or navigate without a mouse)
- Plain language principles
- Mobile-first design, recognizing many class members may access information on their phones
- Low-bandwidth compatibility
- Availability of audio, video, and text formats
- Indigenous-language versions where appropriate

8. Misinformation monitoring and risk mitigation

The Notice Provider will:

- Monitor public channels, especially Facebook groups and comment threads.
- Issue clarifications via official channels as needed.
- Provide a “How to identify scams or misinformation” resource on the website.
- Direct individuals to official channels when misinformation arises.

9. Evaluation and continuous improvement

The Notice Provider will continuously evaluate the effectiveness of notice activities by:

- Tracking analytics across channels
- Identifying demographic and geographic gaps
- Monitoring questions and concerns raised by Claimants
- Adjusting tactics to improve reach and clarity
- Reporting regularly to Class Counsel, the Claims Administrator, and the Court

10. Flexibility

Class Counsel may revise or expand the Notice Plan in consultation with the Notice Provider to ensure the plan remains culturally safe, trauma-informed, cost-effective, and effective in reaching Class Members.

Appendix "B"

This Notice is authorized pursuant to an order of the British Columbia Supreme Court (the "Court").

NOTICE OF HEARING TO APPROVE A SETTLEMENT AGREEMENT AND PROPOSED PLAN TO DISTRIBUTE SETTLEMENT FUNDS IN THE "BIRTH ALERTS" CLASS ACTION

To: All persons who have been identified as potentially being the subject of a "Birth Alert" in British Columbia since May 31, 1980.

You have been identified as someone who was potentially the subject of a Birth Alert in British Columbia. A Birth Alert is a communication sent by a child welfare worker to a hospital, informing the hospital that a person was pregnant and expressing or implying concern that, after the person gave birth, their child might need protection.

Our records indicate you may be a class member in this class action and may be eligible to receive compensation.

You can file your claim for compensation in the online claims portal at www.BirthAlertsBC.ca/claims. You can also choose to exclude yourself from the class action ("opting out") at **WEBSITE LINK**.

This information may be upsetting.

This notice includes information about experiences that could bring up strong or painful feelings. If you need support right now, you can contact the following organizations at no cost:

- **Crisis Services Canada (24/7):** Call 1-833-456-4566 or Text 45645
- **Hope for Wellness Help Line (for Indigenous persons):** Call or text 1-855-242-3310 or visit hopeforwellness.ca
- **Health and mental health support in your area:** Call 2-1-1 for free and confidential help.

Do you have questions about this document? You can contact:

Claims Helpers

The Claims Helpers provide support during the Claims process. They are not connected to the Ministry of Children and Family Development (MCFD).

Phone: **[number]**

Email: **[email]**

Mail: **[address]**

Summary of the Class Action and What Happens Next

In 2019, the Government of British Columbia (the Province) announced it was ending the use of Birth Alerts.

In 2021, a class action was filed against the Province. The plaintiff is Adriana Zeleniski, who is bringing the Claim on behalf of people who were the subject of Birth Alerts (called “class members”).

This class action says that Birth Alerts disclosed sensitive personal information and so were a privacy violation and an infringement of the rights to liberty and security. It also says that for Indigenous parents, Birth Alerts violated the right to equality.

In 2026, the Province and Ms. Zeleniski agreed to settle the case. As part of this process, the Province provided a list of the people it had had identified as being potentially the subject of a Birth Alert.

If this notice was sent to you, you have been identified as someone who may have been the subject of a Birth Alert. That means that you may be a class member in this class action and may be eligible to receive compensation.

The Claims Process is now open. You can submit a Claim for compensation at [\[link to Online Claims Portal\]](#).

Compensation will not be provided to eligible class members until after all Claims have been submitted and assessed by the Claims Administrator. The Claims Administrator is responsible for reviewing Claims and determining whether the Claim is accepted, is missing information, or is denied.

This notice is meant to help you understand the proposed Settlement so you can decide what to do. Your legal rights are still affected even if you choose to do nothing, so please read this carefully. You can call a Claims Helper or Class Counsel at the numbers above if you have questions.

A. What are Birth Alerts?

A Birth Alert was a message sent by a child welfare worker to one or more hospitals. The Birth Alert informed the hospital that a person was pregnant and expressed or implied concern that, after the person gave birth, their child might need protection. After a Birth Alert was sent, child welfare workers commonly came to the hospital before the parent and/or baby was discharged from the hospital.

Birth Alerts were often issued without the pregnant person’s knowledge or consent. This means many people may not know that they were the subject of a Birth Alert.

Birth Alerts Child were sent by child welfare workers from Ministry of Child and Family Development (MCFD) and from delegated Indigenous agencies.

B. Was a Birth Alert issued for me? Am I eligible for this class action?

If this notice was sent to you, our records indicate a Birth Alert may have been issued for you. This means you may be part of this class action.

You may be a class member even if you have never been previously informed that there was a Birth Alert issued about you.

We understand that learning about the potential existence of a Birth Alert may cause anger, sadness, shock, and confusion. If you need support, you can contact the services listed on the first page of this notice.

If this notice was not sent to you directly, we do not know if you were the subject of a Birth Alert. We can help you find out if you were the subject of a Birth Alert. Please contact a **Claims Helper** at the number above if you have questions.

If it is confirmed that there was a Birth Alert about you, you may be eligible for compensation from this class action.

Early involvement of MCFD and/or removal of children at the hospital does not necessarily mean there was a Birth Alert. It is not a Birth alert if a hospital staff member initiated contact with MCFD.

You are **not included** in this class action if at the time a Birth Alert was issued you were **BOTH**:

- In the care or custody of the Provincial Director of Child Welfare or the Province of British Columbia at that time, **AND**
- Under the age of 19 at the time the Birth Alert was issued.

To learn more about how to find out if a Birth Alert was issued about you, please visit www.BirthAlertsBC.ca or contact the **Claims Helpers**. Their contact information is listed on the first page.

C. What is in the proposed Settlement Agreement?

This class action did not go to trial. Instead, both sides agreed to resolve the case through a proposed Settlement Agreement. The proposed Settlement is a compromise. It avoids the delays, costs, and uncertainty that come with a trial in the court.

In the proposed Settlement Agreement the Province has agreed to pay \$66 million to benefit class members. In return, the Province will be released from all legal Claims connected to this class action.

The proposed Settlement is not an admission that the Province did anything wrong. It is a legal compromise to resolve the Claims.

D. What is the Settlement Approval Hearing?

Before the proposed Settlement becomes final, the Court must review and approve it. The Court will also review the plan for how compensation will be shared by class members (the “Distribution Protocol”). The Court will also hear Class Counsel’s request for legal fees.

A settlement approval hearing will take place at the Supreme Court of British Columbia in Vancouver.

- Date: [•]
- Time: [•] a.m.
- Location: 800 Smithe Street, Vancouver, British Columbia

At this hearing, the Court will decide whether the proposed Settlement is fair, reasonable, and in the best interests of class members.

You do not need to attend the hearing. Class Counsel will be there and will answer the Court’s questions.

Any member of the public may attend the hearing in person or, pending the Court’s approval, remotely.

For the most up-to-date information, visit www.BirthAlertsBC.ca before the hearing.

E. What are my legal rights and options?

I want to be a class member and share in the proposed Settlement
You can choose to take part in the proposed Settlement and submit a Claim for compensation. <ul style="list-style-type: none">• You must send your Claim by [date].• You can submit your Claim online at [website] or by mail. Claims Helpers are available to assist you.• If your Claim is accepted, you will receive compensation.• You will not be able to start your own legal action against the Province for the Claims that are released in this class action.
The released Claims are explained in Sections 5.1 to 5.3 of the Settlement Agreement. You can read the full Settlement Agreement at www.BirthAlertsBC.ca .
I want to object to the proposed Settlement

If you disagree with the proposed Settlement or how the money will be shared, you can share these concerns with the Court. To share your concerns, you must submit an “objection form”.

- Your form must be sent to the Claims Helpers by **[deadline]**, by email or mail.
- You can also ask to speak in Court about your objection.
- If you object and the proposed Settlement is approved by the Court, you can still submit a Claim for compensation.

To share your objection to the proposed Settlement, you complete and submit the objection form. You can get the form at www.BirthAlertsBC.ca or by calling the **Claims Helpers** at **[number]** and asking them to mail it to you.

Your objection form must be mailed , emailed or faxed no later than **[date]** to:

[mailing address]

[email address]

[fax number]

If you sent in an objection form, you can request the opportunity to explain your objection to the Court. But you do not have to come to Court to have your concerns heard by the judge. Class Counsel will share your objection with the Court.

I want to Opt-Out of the class action

You can choose not to be part of the proposed Settlement by “opting-out”. This means that you do not wish to participate in the proposed Settlement.

- If you opt-out, you will not receive any money from the proposed Settlement even if it is approved by the Court.
- You can still take legal action on your own, but you will need to pay your own legal costs.
- You will not be able to object to the proposed Settlement or take part in the approval hearing.

To opt-out of the proposed Settlement, you complete and submit the opt-out form by **DATE**. You can get the form at **WEBSITE LINK** or by calling the **Claims Helpers** at **[number]** and asking them to mail it to you. Send your completed opt-out form by **DATE**, to:

[mailing address]

[email address]

[fax number]

I want to do nothing

If you choose to do nothing: You will not get any money from the proposed Settlement even if it is approved by the Court. You will not be able to start your own legal action against the Province for the Claims that are settled in this class action.

F. What is the difference between opting out and objecting?

{21004-001/01016724.2}Questions? Visit www.BirthAlertsBC.ca; email **Info@*****.ca**;
or call toll-free 1-*****

Opting out means you are choosing not to be part of the proposed Settlement.

- You will not receive compensation from the proposed Settlement.
- You will keep the right to take legal action on your own.
- If you opt out, the proposed Settlement no longer applies to you, so you cannot object to it.

Objecting means you are staying in the proposed Settlement, but you want to tell the Court that you disagree with part of it.

- You can object to the proposed Settlement itself, to how the money will be shared, or to the legal fees.
- You will still need to submit a Claim if you want to receive compensation.
- If you object, you are still part of the proposed Settlement and give up the right to sue the Province on your own, if it is approved by the Court.

G. How do I opt-out of the Settlement?

Opting-out of the Settlement has legal implications for you. If you opt out, you will not receive any money from the proposed Settlement even if it is approved by the Court. You can still take legal action on your own, but you will need to pay your own legal costs. You will not be able to object to the proposed Settlement or take part in the approval hearing.

To opt-out of the proposed Settlement, you complete and submit the opt-out form by **DATE**. You can get the form at **WEBSITE LINK** or by calling the **Claims Helpers** at **[number]** and asking them to mail it to you. Send your completed opt-out form by DATE, to:

[mailing address]
[email address]
[fax number]

H. When can I submit a Claim?

You can submit your Claim now. The final day to send in your Claim is **[Claims Deadline]**.

No payments will be made unless the Court approves the proposed Settlement Agreement. Compensation payments will be issued only after all Claims have been submitted and assessed by the Claims Administrator. The Claims Administrator is responsible for reviewing Claims and determining whether the Claim is accepted, is missing information, or is denied.

For the most up-to-date information, please visit www.BirthAlertsBC.ca.

I. How do I submit a Claim?

{21004-001/01016724.2}Questions? Visit www.BirthAlertsBC.ca; email **Info@*****.ca**;
or call toll-free 1-*****

You can submit your Claim in three ways:

- **Online:** Visit the Claims portal at www.BirthAlertsBC.ca/Claims.
- **By mail:** Request a paper form at [\[link to hard copy request page\]](#) or by calling the **Claims Helpers**.
- **By fax:** Request a paper form at [\[link to hard copy request page\]](#) or by calling the **Claims Helpers**, and fax the completed Claim to [\[FAX NUMBER\]](#).

Call the **Claims Helpers** at [\[number\]](#) for help.

To complete your Claim, you will need:

- Your contact information
- Valid government-issued ID

Free supports are available to answer your questions and help you submit your Claim.

J. When will I receive my payment?

Compensation payments will be issued only if the proposed Settlement is approved and all Claims have been submitted and assessed by the Claims Administrator. This will happen after the Claims Period ends.

To make sure you get your compensation, keep your contact information up to date. You can update it by:

- Visiting the Claims portal at [\[link for updating contact information\]](#)
- Or calling the **Claims Helper** at [\[number\]](#)

K. How much money could I receive from the proposed Settlement?

All class members who submit an eligible Claim will receive a base compensation of at least \$2,000.

The final amount may be higher. It depends on how many people submit eligible Claims.

Indigenous class members will also receive some additional amount.

The amount each class member receives will depend on the number of class members who submit an eligible Claim. All Indigenous class members will receive the same amount of compensation, and all class members who are not Indigenous will receive the same amount of compensation.

L. How will the lawyers be paid?

As an individual, you do not have to pay the lawyers working on these class actions any money, and it does not cost anything to submit a Claim.

The Representative Plaintiff entered into a contingency fee agreement with class counsel for the legal work on this class action. The agreement between the Representative Plaintiff and the lawyers allows the lawyers to seek legal fees of up to 25% of the total Settlement Fund.

The Court must approve the amount to be paid to the lawyers for legal fees. At the settlement approval hearing, the lawyers will request up to 25% of the Settlement Fund.

The lawyers have also spent money pursuing the class action, paying for costs such as experts, filing fees, and postage. These costs are called “disbursements”. The lawyers will ask the court to approve the repayment of these disbursements, including costs associated with providing notice and the Claims process, plus any taxes that apply.

The Court will review this request and must approve it before any money is paid to the lawyers, including the request for legal fees.

If you want to object to the payment of the legal fees and/or lawyers’ disbursements, you can send in an objection form and/or share your concerns at the settlement approval hearing.

The lawyers have asked the Court to approve the payment of specific disbursements out of the Settlement Fund in advance of the Approval Hearing. These disbursements relate to the costs of the Notice Provider, the Claims Administrator, and costs associated with the request and review of hospital records. The Court **has/has not** approved these payments.

M. Who are the lawyers working on this case?

CFM Lawyers represents everyone included in this class action.

You can contact CFM Lawyers at no cost to you:

- **Toll-free phone:** 1-800-689-2322
- **Email:** **xxx**@cfmlawyers.ca
- **Fax:** 1-604-689-7554
- **Mail:** Suite 400 – 856 Homer Street, Vancouver, BC, V6B 2W5

If you choose to take part in the proposed Settlement, you may not hire your own lawyer to submit a Claim. If you need assistance with your Claim please contact the **Claims Helpers** who are trained to answer questions about the Claim process and to assist you with submitting a Claim. Contacting the Claims Helpers is always free.

N. Who are the Claims Helpers?

The Claims Helpers are trained to support you in understanding the proposed Settlement and submitting your Claim. They do not decide if you are a class member or if your Claim is eligible for compensation.

The Claims Helpers are provided through Castlemain. They are not associated with Ministry of Child and Family Development or the Province.

O. Who is the Claims Administrator?

Verita Global will act as the Claims Administrator.

If the Court approves the plan for how money will be shared (the “Distribution Protocol”), the Claims Administrator will be responsible for reviewing and accepting or rejecting Claims, and then sending payments to class members whose Claims are accepted.

You can learn more or read the full Distribution Protocol at www.BirthAlertsBC.ca.

P. How can I get more information?

This notice gives a summary of the proposed Settlement Agreement.

If you would like more details, including official documents, you can visit the Settlement website: www.BirthAlertsBC.ca.

If you have questions or need help, you can contact Claims Helpers:

- **By phone:** [telephone number]
- **By email:** [email]
- **By mail:** [mailing address]

You can also find definitions for capitalized terms in the full Settlement Agreement, available on the Important Documents page at www.BirthAlertsBC.ca.

Appendix "C"

This Notice is authorized pursuant to an order of the British Columbia Supreme Court (the "Court").

NOTICE OF HEARING TO APPROVE A SETTLEMENT AGREEMENT AND PROPOSED PLAN TO DISTRIBUTE SETTLEMENT FUNDS IN THE "BIRTH ALERTS" CLASS ACTION

To: All persons who were the subject of a "Birth Alert" in British Columbia since May 31, 1980.

This notice is meant to help you understand the proposed Settlement so you can decide what to do. Your legal rights are still affected even if you choose to do nothing, so please read this carefully.

This information may be upsetting.

This notice includes information about experiences that could bring up strong or painful feelings. If you need support right now, you can contact the following organizations at no cost:

- **Crisis Services Canada (24/7):** Call 1-833-456-4566 or Text 45645
- **Hope for Wellness Help Line (for Indigenous persons):** Call or text 1-855-242-3310 or visit hopeforwellness.ca
- **Health and mental health support in your area:** Call 2-1-1 for free and confidential help.

Do you have questions about this document? You can contact:

Claims Helpers

The Claims Helpers provide support during the Claims process. They are not connected to the Ministry of Children and Family Development (MCFD).

Phone: [number]

Email: [email]

Mail: [address]

Summary of the Class Action and What Happens Next

In 2019, the Government of British Columbia (the Province) announced it was ending the use of Birth Alerts.

In 2021, a class action was filed against the Province. The plaintiff is Adriana Zeleniski, who is bringing the Claim on behalf of people who were the subject of Birth Alerts (called “class members”).

This class action says that Birth Alerts disclosed sensitive personal information and so were a privacy violation and an infringement of the rights to liberty and security. It also says that for Indigenous parents, Birth Alerts violated the right to equality.

In 2026, the Province and Ms. Zeleniski agreed to settle the case. As part of this process, the Province provided a list of the people it had had identified as being potentially the subject of a Birth Alert.

If you believe or suspect that you were the subject of a Birth Alert, please visit www.BirthAlertsBC.ca or contact a **Claims Helper**, free of charge. Their contact information is listed on the first page of this notice.

The Claims Process is now open. You can submit a Claim for compensation at [\[link to Online Claims Portal\]](#).

Compensation will not be provided to eligible class members until after all Claims have been submitted and assessed by the Claims Administrator. The Claims Administrator is responsible for reviewing Claims and determining whether the Claim is accepted, is missing information, or is denied.

This notice is meant to help you understand the proposed Settlement so you can decide what to do. Your legal rights are still affected even if you choose to do nothing, so please read this carefully. You can call a Claims Helper or Class Counsel at the numbers above if you have questions.

A. What are Birth Alerts?

A Birth Alert was a message sent by a child welfare worker to one or more hospitals. The Birth Alert informed the hospital that a person was pregnant and expressed or implied concern that, after the person gave birth, their child might need protection. After a Birth Alert was sent, child welfare workers commonly came to the hospital before the parent and/or baby was discharged from the hospital.

Birth Alerts were often issued without the pregnant person’s knowledge or consent. This means many people may not know that they were the subject of a Birth Alert.

Birth Alerts Child were sent by child welfare workers from Ministry of Child and Family Development (MCFD) and from delegated Indigenous agencies.

B. Was a Birth Alert issued for me? Am I eligible for this class action?

If you did not receive notice sent to you directly, we do not know if you were the subject of a Birth Alert. We can help you find out if you were the subject of a Birth Alert. Please contact a **Claims Helper** at the number above if you have questions.

If it is confirmed that there was a Birth Alert about you, you may be eligible for compensation from this class action.

If you received a direct notice from the Claims Administrator, our records indicate a Birth Alert may have been issued for you. This means you may be part of this class action.

You may be a class member even if you have never been previously informed that there was a Birth Alert issued about you.

We understand that learning about the potential existence of a Birth Alert may cause anger, sadness, shock, and confusion. If you need support, you can contact the services listed on the first page of this notice.

Early involvement of MCFD and/or removal of children at the hospital does not necessarily mean there was a Birth Alert. It is not a Birth alert if a hospital staff member initiated contact with MCFD.

You are **not included** in this class action if at the time a Birth Alert was issued you were **BOTH**:

- In the care or custody of the Provincial Director of Child Welfare or the Province of British Columbia at that time, **AND**
- Under the age of 19 at the time the Birth Alert was issued.

To learn more about how to find out if a Birth Alert was issued about you, please visit www.BirthAlertsBC.ca or contact the **Claims Helpers**. Their contact information is listed on the first page.

C. What is in the proposed Settlement Agreement?

This class action did not go to trial. Instead, both sides agreed to resolve the case through a proposed Settlement Agreement. The proposed Settlement is a compromise. It avoids the delays, costs, and uncertainty that come with a trial in the court.

In the proposed Settlement Agreement the Province has agreed to pay \$66 million to benefit class members. In return, the Province will be released from all legal Claims connected to this class action.

The proposed Settlement is not an admission that the Province did anything wrong. It is a legal compromise to resolve the Claims.

D. What is the Settlement Approval Hearing?

Before the proposed Settlement becomes final, the Court must review and approve it. The Court will also review the plan for how compensation will be shared by class members (the “Distribution Protocol”). The Court will also hear Class Counsel’s request for legal fees.

A settlement approval hearing will take place at the Supreme Court of British Columbia in Vancouver.

- Date: [•]
- Time: [•] a.m.
- Location: 800 Smithe Street, Vancouver, British Columbia

At this hearing, the Court will decide whether the proposed Settlement is fair, reasonable, and in the best interests of class members.

You do not need to attend the hearing. Class Counsel will be there and will answer the Court’s questions.

Any member of the public may attend the hearing in person or, pending the Court’s approval, remotely.

For the most up-to-date information, visit www.BirthAlertsBC.ca before the hearing.

E. What are my legal rights and options?

I want to be a class member and share in the proposed Settlement
You can choose to take part in the proposed Settlement and submit a Claim for compensation. <ul style="list-style-type: none">• You must send your Claim by [date].• You can submit your Claim online at [website] or by mail. Claims Helpers are available to assist you.• If your Claim is accepted, you will receive compensation.• You will not be able to start your own legal action against the Province for the Claims that are released in this class action.
The released Claims are explained in Sections 5.1 to 5.3 of the Settlement Agreement. You can read the full Settlement Agreement at www.BirthAlertsBC.ca .
I want to object to the proposed Settlement
If you disagree with the proposed Settlement or how the money will be shared, you can share these concerns with the Court. To share your concerns, you must submit an “objection form”. <ul style="list-style-type: none">• Your form must be sent to the Claims Helpers by [deadline], by email or mail.

- You can also ask to speak in Court about your objection.
- If you object and the proposed Settlement is approved by the Court, you can still submit a Claim for compensation.

To share your objection to the proposed Settlement, you complete and submit the objection form. You can get the form at www.BirthAlertsBC.ca or by calling the Claims Helpers at [number] and asking them to mail it to you.

Your objection form must be mailed , emailed or faxed no later than [date] to:

[mailing address]

[email address]

[fax number]

If you sent in an objection form, you can request the opportunity to explain your objection to the Court. But you do not have to come to Court to have your concerns heard by the judge. Class Counsel will share your objection with the Court.

I want to Opt-Out of the class action

You can choose not to be part of the proposed Settlement by “opting-out”. This means that you do not wish to participate in the proposed Settlement.

- If you opt out, you will not receive any money from the proposed Settlement even if it is approved by the Court.
- You can still take legal action on your own, but you will need to pay your own legal costs.
- You will not be able to object to the proposed Settlement or take part in the approval hearing.

To opt-out of the proposed Settlement, you complete and submit the opt-out form by DATE. You can get the form at WEBSITE LINK or by calling the Claims Helpers at [number] and asking them to mail it to you. Send your completed opt-out form by DATE, to:

[mailing address]

[email address]

[fax number]

I want to do nothing

If you choose to do nothing: You will not get any money from the proposed Settlement even if it is approved by the Court. You will not be able to start your own legal action against the Province for the Claims that are settled in this class action.

F. What is the difference between opting out and objecting?

Opting out means you are choosing not to be part of the proposed Settlement.

- You will not receive compensation from the proposed Settlement.
- You will keep the right to take legal action on your own.

- If you opt out, the proposed Settlement no longer applies to you, so you cannot object to it.

Objecting means you are staying in the proposed Settlement, but you want to tell the Court that you disagree with part of it.

- You can object to the proposed Settlement itself, to how the money will be shared, or to the legal fees.
- You will still need to submit a Claim if you want to receive compensation.
- If you object, you are still part of the proposed Settlement and give up the right to sue the Province on your own, if it is approved by the Court.

G. How do I opt-out of the Settlement?

Opting-out of the Settlement has legal implications for you. If you opt-out, you will not receive any money from the proposed Settlement even if it is approved by the Court. You can still take legal action on your own, but you will need to pay your own legal costs. You will not be able to object to the proposed Settlement or take part in the approval hearing.

To opt-out of the proposed Settlement, you complete and submit the opt-out form by **DATE**. You can get the form at **WEBSITE LINK** or by calling the Claims Helpers at **[number]** and asking them to mail it to you. Send your completed opt-out form by DATE, to:

[mailing address]

[email address]

[fax number]

H. When can I submit a Claim?

You can submit your Claim now. The final day to send in your Claim is **[Claims Deadline]**.

No payments will be made unless the Court approves the proposed Settlement Agreement. Compensation payments will be issued only after all Claims have been submitted and assessed by the Claims Administrator. The Claims Administrator is responsible for reviewing Claims and determining whether the Claim is accepted, is missing information, or is denied.

For the most up-to-date information, please visit www.BirthAlertsBC.ca.

I. How do I submit a Claim?

You can submit your Claim in three ways:

- **Online:** Visit the Claims portal at www.BirthAlertsBC.ca/Claims.
- **By mail:** Request a paper form at **[link to hard copy request page]** at or by calling the Claims Helpers.

- **By fax:** Request a paper form at [link to hard copy request page] or by calling the Claims Helpers, and fax the completed Claim to [FAX NUMBER].

To complete your Claim, you will need:

- Your contact information
- Valid government-issued ID

Free supports are available to answer your questions and help you submit your Claim. Call the Claims Helpers at [number] for help.

J. When will I receive my payment?

Compensation payments will be issued only if the proposed Settlement is approved and all Claims have been submitted and assessed by the Claims Administrator. This will happen after the Claims Period ends.

To make sure you get your compensation, keep your contact information up to date. You can update it by:

- Visiting the Claims portal at [link for updating contact information]
- Or calling the Claims Helper at [number]

K. How much money could I receive from the proposed Settlement?

All class members who submit an eligible Claim will receive a base compensation of at least \$2,000.

The final amount may be higher. It depends on how many people submit eligible Claims.

Indigenous class members will also receive some additional amount.

The amount each class member receives will depend on the number of class members who submit an eligible Claim. All Indigenous class members will receive the same amount of compensation, and all class members who are not Indigenous will receive the same amount of compensation.

L. How will the lawyers be paid?

As an individual, you do not have to pay the lawyers working on these class actions any money, and it does not cost anything to submit a Claim.

The Representative Plaintiff entered into a contingency fee agreement with class counsel for the legal work on this class action. The agreement between the Representative Plaintiff and the lawyers allows the lawyers to seek legal fees of up to 25% of the total Settlement Fund.

The Court must approve the amount to be paid to the lawyers for legal fees. At the settlement approval hearing, the lawyers will request up to 25% of the Settlement Fund.

The lawyers have also spent money pursuing the class action, paying for costs such as experts, filing fees, and postage. These costs are called “disbursements”. The lawyers will ask the court to approve the repayment of these disbursements, including costs associated with providing notice and the Claims process, plus any taxes that apply.

The Court will review this request and must approve it before any money is paid to the lawyers, including the request for legal fees.

If you want to object to the payment of the legal fees and/or lawyers’ disbursements, you can send in an objection form and/or share your concerns at the settlement approval hearing.

The lawyers have asked the Court to approve the payment of specific disbursements out of the Settlement Fund in advance of the Approval Hearing. These disbursements relate to the costs of the Notice Provider, the Claims Administrator, and costs associated with the request and review of hospital records. The Court **has/has not** approved these payments.

M. Who are the lawyers working on this case?

CFM Lawyers represents everyone included in this class action.

You can contact CFM Lawyers at no cost to you:

- **Toll-free phone:** 1-800-689-2322
- **Email:** **xxx**@cfmlawyers.ca
- **Fax:** 1-604-689-7554
- **Mail:** Suite 400 – 856 Homer Street, Vancouver, BC, V6B 2W5

If you choose to take part in the proposed Settlement, you may not hire your own lawyer to submit a Claim. If you need assistance with your Claim please contact the Claims Helpers who are trained to answer questions about the Claim process and to assist you with submitting a Claim. Contacting the Claims Helpers is always free.

N. Who are the Claims Helpers?

The Claims Helpers are trained to support you in understanding the proposed Settlement and submitting your Claim. They do not decide if you are a class member or if your Claim is eligible for compensation.

The Claims Helpers are provided through Castlemain. They are not associated with Ministry of Child and Family Development or the Province.

O. Who is the Claims Administrator?

{21004-001/01025429.1}Questions? Visit www.BirthAlertsBC.ca; email **Info@*****.ca**;
or call toll-free 1-*****

Verita Global will act as the Claims Administrator.

If the Court approves the plan for how money will be shared (the “Distribution Protocol”), the Claims Administrator will be responsible for reviewing and accepting or rejecting Claims, and then sending payments to class members whose Claims are accepted.

You can learn more or read the full Distribution Protocol at www.BirthAlertsBC.ca.

P. How can I get more information?

This notice gives a summary of the proposed Settlement Agreement.

If you would like more details, including official documents, you can visit the Settlement website: www.BirthAlertsBC.ca.

If you have questions or need help, you can contact Claims Helpers:

- **By phone:** [telephone number]
- **By email:** [email]
- **By mail:** [mailing address]

You can also find definitions for capitalized terms in the full Settlement Agreement, available on the Important Documents page at www.BirthAlertsBC.ca.

**NOTICE OF HEARING TO APPROVE A SETTLEMENT AGREEMENT AND
PROPOSED PLAN TO DISTRIBUTE SETTLEMENT FUNDS IN THE "BIRTH
ALERTS" CLASS ACTION**

To: All persons who were the subject of a "Birth Alert" in British Columbia since May 31, 1980.

This notice is meant to help you understand the proposed Settlement so you can decide what to do. Your legal rights are still affected even if you choose to do nothing, so please read this carefully.

This information may be upsetting.

This notice includes information about experiences that could bring up strong or painful feelings. If you need support right now, you can contact the following organizations at no cost:

- **Crisis Services Canada (24/7):** Call **1-833-456-4566** or Text **45645**
- **Hope for Wellness Help Line (for Indigenous persons):** Call or text **1-855-242-3310** or visit **hopeforwellness.ca**
- **Health and mental health support in your area:** Call **2-1-1** for free and confidential help.

Do you have questions about this document? You can contact:

Claims Helpers

The Claims Helpers provide support during the Claims process. They are not connected to the Ministry of Children and Family Development (MCFD).

Phone: [number]

Email: [email]

Mail: [address]

A class action lawsuit about the Government of British Columbia's (the Province) use of Birth Alerts has settled for a total of **\$66 million**. CFM Lawyers LLP represents everyone included in this class action. If the proposed Settlement is approved, all class members who submit an eligible claim will receive compensation of at least \$2,000. Indigenous class members will also receive an additional amount.

A full copy of the proposed Settlement Agreement is available at www.BirthAlertsBC.ca.

Before the proposed Settlement becomes final, the Court must review and approve it. The Court will also review the plan for how compensation will be shared with class members. The Settlement approval hearing will take place at the Supreme Court of British Columbia in Vancouver.

- Date: [•]
- Time: [•] a.m.

- Location: 800 Smithe Street, Vancouver, British Columbia

At the hearing, CFM Lawyers will also ask the Court to approve its legal fees, and for payment of costs they have spent pursuing the class action. CFM Lawyers will request up to 25% of the Settlement Fund, to be paid to compensate the lawyers for their work on this class action. The Court must approve these requests before any money is paid to the lawyers.

CFM Lawyers have already asked the Court to approve the payment of specific disbursements out of the Settlement Fund in advance of the Approval Hearing. These disbursements relate to the costs of the Notice Provider, the Claims Administrator, and costs associated with the request and review of hospital records. The Court **has/has not** approved these payments.

You do not need to attend the hearing. CFM Lawyers will be there and will answer the Court's questions.

Any member of the public may attend the hearing in person or, pending the Court's approval, remotely.

Your rights under the proposed Settlement

I want to be a class member and share in the proposed Settlement

You can choose to take part in the proposed Settlement and submit a Claim for compensation.

- You must send your Claim by **[date]**.
- You can submit your Claim online at **[website]** or by mail. Claims Helpers are available to assist you.
- If your Claim is accepted, you will receive compensation.
- You will not be able to start your own legal action against the Province for the Claims that are released in this class action.

The released Claims are explained in **Sections 5.1 to 5.3** of the Settlement Agreement. You can read the full Settlement Agreement at www.BirthAlertsBC.ca.

I want to object to the proposed Settlement

If you disagree with the proposed Settlement or how the money will be shared, you can share these concerns with the Court. To share your concerns, you must submit an "objection form".

- Your form must be sent to the Claims Helpers by **[deadline]**, by email or mail.
- You can also ask to speak in Court about your objection.
- If you object and the proposed Settlement is approved by the Court, you can still submit a Claim for compensation.

To share your objection to the proposed Settlement, you complete and submit the objection form. You can get the form at www.BirthAlertsBC.ca or by calling the Claims Helpers at **[number]** and asking them to mail it to you.

Your opt-out form must be mailed , emailed or faxed no later than **[date]** to:

[mailing address]
[email address]
[fax number]

I want to Opt-Out of the class action

You can choose not to be part of the proposed Settlement by “opting-out”. This means that you do not wish to participate in the proposed Settlement.

- If you opt out, you will not receive any money from the proposed Settlement even if it is approved by the Court.
- You can still take legal action on your own, but you will need to pay your own legal costs.
- You will not be able to object to the proposed Settlement or take part in the approval hearing.

To opt-out of the proposed Settlement, you complete and submit the opt-out form by **DATE**. You can get the form at www.BirthAlertsBC.ca or by calling the Claims Helpers at **[number]** and asking them to mail it to you. Send your completed opt-out form by **DATE**, to:

[mailing address]
[email address]
[fax number]

I want to do nothing

If you choose to do nothing: You will not get any money from the proposed Settlement even if it is approved by the Court. You will not be able to start your own legal action against the Province for the Claims that are settled in this class action.

Please note that **objecting** to the proposed Settlement is not the same as **opting-out**.

- **Objecting** means you are staying in the Class Action, but you want to tell the Court that you disagree with part or all of the proposed Settlement.
- **Opting out** means you are choosing not to be part of the proposed Settlement, this means you will not be eligible for compensation if the Settlement is approved.

If you believe or suspect that you were the subject of a Birth Alert please visit www.BirthAlertsBC.ca or contact a **Claims Helper**, free of charge. Their contact information is listed at the bottom of this notice.

If you have any questions about this document you can contact:

Claims Helpers

The Claims Helpers provide free support during the claims process. They are not connected to the Ministry of Children and Family Development (MCFD).

Phone: **[number]**
Email: **[email]**
Mail: **[address]**

FOR IMMEDIATE RELEASE

[DATE]

Proposed settlement reached in Birth Alerts BC class action

VANCOUVER, BC — A \$66 million proposed settlement has been reached in a class action about the use of Birth Alerts in British Columbia, *Zeleniski v. His Majesty the King in right of British Columbia*, BCSC Action No. VA-S-2017852.

Birth Alerts were communications sent by child welfare workers to hospitals about a pregnant person. These alerts ended in 2019.

In 2021, a class action lawsuit was filed on behalf of people who were the subject of Birth Alerts. The lawsuit says that Birth Alerts shared private information without consent, and that the practice disproportionately affected Indigenous families.

Following a successful mediation, with Hon. Jody Wilson-Raybould, PC, OBC, KC and Dr. Roshan Danesh, KC acting as mediators, the parties in the Birth Alerts BC Class Action have reached a proposed settlement. The proposed settlement is a compromise resolution that does not include any admissions by any party.

The proposed settlement must be approved by the Supreme Court of British Columbia. A hearing will take place on [DATE], where the Court will decide whether the Settlement is fair and should be approved.

What's included in the proposed Settlement?

Class Counsel quote

The proposed settlement addresses the Birth Alert itself; the communication sent to a hospital before a birth. It does not determine anything about actions taken after the birth.

If approved, the proposed settlement would provide a minimum of \$2,000 in compensation to eligible class members. Indigenous class members will receive an additional amount. The proposed settlement also includes a collective fund to support families and communities affected by Birth Alerts.

Rep Plaintiff quote

Who is eligible?

A person may be part of the class action if a Birth Alert was issued about them in British Columbia between May 31, 1980 and the date the action is certified.

People may still be included even if they were never told a Birth Alert was issued, or if they are unsure whether a Birth Alert occurred. A person is not included if, at the time of the Birth Alert, they were both under 19 years old and in the care or custody of the Province.

Some class members may receive direct information that they may have been subject to a Birth Alert. In other cases, class members may learn about the proposed settlement through communications channels. Claims Helpers are available to support anyone who is unsure whether they may be included in the class action.

Next steps

The proposed settlement is currently in the notice and opt out period. During this time, people who may be class members can consider their options. They may choose to stay in the proposed settlement and submit a claim for compensation, opt out of the proposed settlement and remove themselves from the class action, object to the proposed settlement and share their concerns with the Court, or take no action. People who opt out will not receive compensation if the proposed settlement is approved.

Claims can be submitted now through the online claims portal or by completing a paper claim form. Claims will not be reviewed or paid unless the Court approves the settlement. Claims Helpers are available to provide support, answer questions, and help people complete a Claim.

Class counsel second quote

Supports available

Information and support are available for those who have questions about the proposed settlement or the claims process:

Claims Helpers can answer questions about the proposed settlement, your rights and how to submit a claim. Individuals can reach a Claims Helper by email at Info@BirthAlertsBC.ca, or by calling the Info Line at **TBC**.

Class Counsel in this matter are CFM Lawyers LLP. They can answer questions about the case and the proposed settlement. Individuals can also contact Class Counsel, CFM Lawyers LLP, at 604-689-7555.

Learning about Birth Alerts or the settlement may bring up difficult feelings. Support is available through Crisis Services Canada at 1-833-456-4566 or by text at 45645. Indigenous people can also contact the Hope for Wellness Help Line at 1-855-242-3310 or visit hopeforwellness.ca. Additional local supports are available by calling 2-1-1.

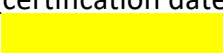
Media

[CASTLEMAIN CONTACT]

contact:

Appendix "F"

PROPOSED CONTENT FOR CLAIM FORM

1. Name
2. Date of birth
3. Pronouns
4. Any other names you may go by (for the purpose of records request)
5. Current address
6. Telephone
7. Email
8. Optional, alternative contact information or authorized contact person
9. Personal Health Number
10. Do you identify as First Nations, Métis, or Inuit?
 - (a) Attach proof (making a statutory declaration in the form attached as Schedule “A” or providing a Certificate of Indian Status (commonly known as a “status card”), Métis registry or citizenship number, Inuit disc or beneficiary number, or a Temporary Confirmation of Registration Document (commonly known as “registration”).
11. Were you pregnant between May 31, 1980 and [certification date]?

12. For pregnancies between May 31, 1980 and [Xdate], on what date did you give birth or expect to give birth?

List each date separately
13. At the time of any of the dates listed above, were you a child in care? Child in care means someone who was under the age of 19 in the care or custody of the Provincial Director of Child Welfare or Province of British Columbia pursuant to the *Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46, or *Family and Child Service Act*, S.B.C. 1980, c. 11
14. For pregnancies between May 31, 1980 and [Xdate], please list the hospital(s) at which you gave birth.
15. (TW: miscarriage) It is possible that if you were pregnant but did not give birth, you may have still been subject to a birth alert (for example, if you experienced a miscarriage). For

pregnancies between May 31, 1980 and [Xdate] for which you did not give birth, please list a maximum of two hospital(s) at which you sought medical care related to the pregnancy.

- (a) *For each pregnancy date entered, a drop down menu will give maximum 2 options based on all hospitals in the Province with name of hospital and city/town location.*
 - (i) *For paper based forms refer to the Appendix of hospitals in the province*

16. By signing this section, you are acknowledging and consenting to information being shared with Class Counsel, the Administrator, Notice Providers (including Claims Helpers), and Arbitrators for the purposes of confirming my Claim.

- (a) I authorize Class Counsel to request and review my hospital records from the listed hospital(s) for the period of nine months before and three months after the date(s) I gave birth or expected to give birth.
- (b) I consent to the use and sharing by Class Counsel, the Notice Providers (including Claims Helpers), the Claims Administrator, the Arbitrator and their representatives, of my personal information for the purposes of future notices about this class action, adjudicating my claim and analysing my eligibility for Settlement Compensation, including any and all court-mandated or legally-required reporting.
- (c) I authorize the Claims Administrator to contact me or my representative, as the Claims Administrator deems appropriate, for more information and/or to audit the Claim Form.

17. I have attached a copy of valid identification (front and back) issued by the Canadian federal government or a government of a Canadian province or territory.

- (a) *Provide list of acceptable ID*

18. Declaration re truth and completeness of information provided

- (a) By signing, you are agreeing that *(check boxes or initial boxes by each of these subsections)*:
 - (i) You understand that your Claim will be assessed based on your answers here, and that if it is accepted you may receive monetary compensation.
 - (ii) Your answers are true to the best of your knowledge.
 - (iii) You understand that this Claims Process is supervised by the Supreme Court of British Columbia and that attempting to obtain compensation by

intentionally giving false or misleading information could result in serious penalties.

I, _____, do solemnly declare that the information I have given on this Claim Form is truthful, complete and correct, and that any documents I have provided are authentic and unaltered, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Signature: _____

Date: _____

SCHEDULE "A" – STATUTORY DECLARATION RE INDIGENOUS IDENTITY

**STATUTORY DECLARATION
IN THE PROVINCE OF BRITISH COLUMBIA
RE: ZELENISKI V HMKBC, VANCOUVER REGISTRY NO. S-217852**

By signing this Claim Form:

1. I declare that:
 - (a) I am of Indigenous ancestry; and
 - (b) I identify as a First Nations, Inuit, and/or Métis person.

2. I declare that I am:
(check all that apply)
 - Status First Nation
 - Inuit enrolled
 - Métis
 - Non Status

3. My ancestral home/region/community or band name and number is:

4. I understand that by submitting this claim, I am authorizing the Claims Administrator to contact me or my representative as the Claims Administrator deems appropriate for more information and/or to audit this claim.

5. By signing this statutory declaration, I declare that the information provided in this Claim Form is true and correct and that I am authorized to sign on my behalf or the behalf of the Claimant.

SIGNATURE: [will be electronic signature on a website]