



Birth Alerts BC CLASS ACTION

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:

- **BC Mental Health & Crisis Response (no area code needed): 310-6789**
- **Hope for Wellness Help Line (for Indigenous peoples):** Call or text **1-855-242-3310** or visit **www.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: 1-833-632-6557

Claims Helpers monitor the Info Line from 9 a.m. PT to 5 p.m. PT
Mondays to Fridays (excluding statutory holidays)

Email: Info-BABC@BirthAlertsBC.ca

Mail: Birth Alerts BC Notice Provider (c/o Castlemain)
688 Saint Joseph Street
Winnipeg, MB R2H 3E2
Canada

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.

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 www.BirthAlertsBC.ca/Claims.

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. If you have questions, you can call a **Claims Helper** at the number above.

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. This means many people may not know that they were the subject of a Birth Alert.

Birth Alerts were sent by child welfare workers from Ministry of Children 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.

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 Plan”). 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: December 4, 2026
- Time: 10:00 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.

- You can submit your Claim now. Further information on the claims deadline will be available after the Court has reviewed the settlement and made its decision.
- You can submit your Claim online at www.BirthAlertsBC.ca 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, Distribution Plan, or Class Counsel's request for legal fees

- If you disagree with the proposed settlement, Distribution Plan, or Class Counsel's request for legal fees, 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 **November 20, 2026**, by email, fax 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, Distribution Plan, or Class Counsel's request for legal fees, you **must** complete and submit the Objection Form. You can get the form at www.BirthAlertsBC.ca or by calling the **Claims Helpers** at **1-833-632-6557** and asking them to mail it to you.

Your Objection Form **must** be mailed, emailed or faxed no later than **November 20, 2026** to:

Mailing Address: Birth Alerts BC Notice Provider (c/o Castlemain)
688 Saint Joseph Street
Winnipeg, MB R2H 3E2
Canada

Email: Info-BABC@BirthAlertsBC.ca

Fax: 1-833-233-2982

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 **must** complete and submit the Opt Out Form by **December 8, 2026**. You can get the form at www.BirthAlertsBC.ca or by calling the **Claims Helpers** at **1-833-632-6557** and asking them to mail it to you. Send your completed Opt Out Form by **December 8, 2026**, to:

Mailing Address: Birth Alerts BC Notice Provider (c/o Castlemain)
688 Saint Joseph Street
Winnipeg, MB R2H 3E2
Canada

Email: Info-BABC@BirthAlertsBC.ca

Fax: 1-833-233-2982

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 **must** complete and submit the Opt Out Form by **December 8, 2026**. You can get the form at www.BirthAlertsBC.ca or by calling the **Claims Helpers** at **1-833-632-6557** and asking them to mail it to you. Send your completed Opt Out Form by **December 8, 2026**, to:

Mailing Address: Birth Alerts BC Notice Provider (c/o Castlemain)
688 Saint Joseph Street
Winnipeg, MB R2H 3E2
Canada

Email: Info-BABC@BirthAlertsBC.ca

Fax: 1-833-233-2982

H. When can I submit a Claim?

You can submit your Claim now. Further information on the claims deadline will be available after the Court has reviewed the settlement and made its decision.

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 www.BirthAlertsBC.ca/Claims or by calling the **Claims Helpers**.
- **By fax:** Request a paper form at www.BirthAlertsBC.ca/Claims or by calling the **Claims Helpers**, and fax the completed Claim to **1-833-233-2982**.

To complete your Claim, you will need:

- a copy of your government-issued identification, front and back
- your Personal Health Number found on your BC Services Card (not mandatory)
- dates or approximate dates of pregnancies or births
- hospital names or locations in British Columbia where you received prenatal care and/or gave birth
- your contact information, or alternate contact information if that applies

Free supports are available to answer your questions and help you submit your Claim. Call the **Claims Helpers** at **1-833-632-6557** 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 calling a **Claims Helper** at **1-833-632-6557**.

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 this class action 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 amount.

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 total settlement amount. The lawyers will propose that some of the amount is paid to the lawyers now, and some is paid to the lawyers later when the distribution of compensation to class members is underway or complete.

The lawyers have also spent money pursuing the class action, paying for costs such as experts, filing fees, and postage. The lawyers will ask the Court to approve the repayment of those costs, 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 legal fees.

If you want to object to the payment of the legal fees and/or lawyers' costs, 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 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:** BCBirthAlerts@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 Children 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 Plan”), 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 Plan 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: 1-833-632-6557

Claims Helpers monitor the Info Line from 9 a.m. PT to 5 p.m. PT
Mondays to Fridays (excluding statutory holidays)

By Email: Info-BABC@BirthAlertsBC.ca

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