

This FAQ was updated on June 18, 2020. We will continuously update the FAQ with new information and post it on this website as the situation evolves.

Frequently Asked Questions

Please find below the answers to a number of commonly asked questions that we hope you will find helpful. Please also check our [“Updates” section](#) for new information. If you have specific questions about your personal situation, you can reach us toll-free at 1-844-287-4270 or by email: sixtiesscoop@collectiva.ca.

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Claim Process

- **What is happening with the claim process right now?**

We are actively reviewing, assessing, and approving applications. However, because of COVID-19, we've put a pause on denying applications for the time being. We've also suspended deadlines for people who received either a “Notice of Intent to Reject” letter or an “Official Rejection” letter. That means, those people have more time to gather information and take action to support their applications.

- **How has COVID-19 impacted the claim process?**

COVID has impacted the claim process in two important ways. The first is that social distancing makes it difficult for Applicants to get the face-to-face help and support they might need to get additional information that supports their applications. The second is that a lot of the information that the Administrator needs to assess applications is stored in Provincial archives, and many of those archives are currently closed. Because of these barriers, making sure no applications are denied during this period of uncertainty is the safe and fair thing to do.

- **When will the process of denying applications start again?**

Right now, we don't have a timeline for that. What we can tell you is that we are actively monitoring public health guidelines and seeking the advice of our Indigenous partners to determine when it would be both safe and fair to reinstate deadlines.

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- **How many applications have been received?**

The total number of applications we received is: 34,767

- **What is the status of all the applications that have been received?**

The total number of applications we received is: 34,767. Here is the latest information about the status of those applications:

- 12,551 claims determined eligible (36%)
- Approximately 4% of claims determined *not* eligible (Official Notice of Rejection was issued; note that anyone who received this notice dated in February or March 2020, the deadline to request reconsideration is currently suspended)
- Approximately 20% of Applicants have received a “Notice of Intent to Reject” letter requesting additional documentation to be filed (note that for anyone who received this notice dated in February or March 2020, the deadline for response is currently suspended).
- Approximately 40% of claims are actively being processed by the Administrator

- **Can I still apply?**

No. The deadline for brand new applications has expired.

- **When will we know the final number of approved applications?**

Unfortunately, we don’t have a timeline for that right now. What we can tell you is that we are actively monitoring public health guidelines and seeking the advice of our Indigenous partners to determine when it would be both safe and fair to reinstate deadlines. Once deadlines are back in force, we’ll have a much better sense of timing.

- **The last thing I heard from Collectiva is confirmation that they received my application. When will I hear if my application is approved or not?**

We know how hard this time of waiting is and want to assure you that we are still actively processing and approving applications. If you haven’t heard from us since we confirmed receipt of your application (meaning you haven’t received any letters or notices), that just means we are still doing the work needed to assess your application. You will hear from us as soon as we have an update for you. There’s nothing more you need to do right now. We are very grateful for your patience.

- **What do I do if I received a “Letter of Intent to Reject?”**

This *is not a rejection letter*. It simply means that we need more information in order to assess whether your application can be approved. Here is the list of reasons why we would assess an application as needing more information, in order to approve it:

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- We were unable to confirm that you are a Registered Indian (as defined by the Indian Act), entitled to be a Registered Indian or Inuit;
- We were unable to confirm that you were placed in the care of non-Indigenous adoptive or non-Indigenous foster parents;
- We were unable to confirm that you were removed from your home between January 1, 1951 and December 31, 1991;
- We were unable to confirm that you were removed from a home in Canada;
- Unable to confirm that you were placed in long-term care with non-Indigenous parents within the meaning of the Settlement Agreement. (If this reason is selected, please send us more information on the length of time and location of your placement).
- The person you applied for died before February 20, 2009;
- Unable to confirm that you were adopted or made a Permanent or Crown Ward.
- Your application is missing information needed to process it. (If this is the reason, we've sent you a letter with your Individual Payment Application Form with the missing information highlighted in yellow).

If you received this letter and it was dated in February or March of 2020, that means the deadline to get additional information to the Administrator has been suspended for now. Our strong recommendation is to use this time to connect with Class Counsel who can provide you with legal advice that may help support your application's approval. Please know that access to these legal services is your right and is already paid for under the settlement. There will be no additional cost to you. [You can find contact information below under "Resources and Support."](#)

- **What do I do if I received an "Official Rejection" notice?**

People have the right to ask for reconsideration of their application by the Reconsideration Officer within 30 days of the date of their "official rejection" notice. They can do this by submitting a "request for reconsideration form."

If you received an "official rejection" notice and it was dated in February or March of 2020, that means the deadline to request an appeal has been suspended for now. Our strong recommendation is to use this time to connect with Class Counsel who can provide you with legal advice that may help support your application's approval. Please know that access to these legal services is your right and is already paid for under the settlement. There will be no additional cost to you. [You can find contact information below under "Resources and Support."](#)

- **Who is the Reconsideration Officer and what do they do?**

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The Court has appointed Dr. James Igloliorte, former Judge with the Provincial Court of Newfoundland and Labrador, as the Reconsideration Officer. When someone requests a reconsideration of their application after receiving an “official rejection” notice, it is the Reconsideration Officer’s job to review that request and make a final decision. In some cases, he will seek the guidance of the Exceptions Committee.

- **Who is on the Exceptions Committee and what do they do?**

The job of the Exceptions Committee is to help consider and decide questions about eligibility that may impact some Class Members. They receive regular reports from the Administrator, help resolve any disagreements between the different parties in the Settlement, and also provide direction to the Administrator on certain issues. You can read some of the directions provided to the Administrator on the [“Official Documents” section of this website.](#)

The members of the Exceptions Committee include:

- Designate of the Federal Court - The Honourable Robert A. Blair - retired Judge from the Court of Appeal for Ontario
- Representative of Class Counsel - E. F. Anthony Merchant Q.C. - The Merchant Law Group
- Representative of Canada - Catharine Moore - Senior General Counsel - Department of Justice Canada
- Indigenous representative - Kenn Richard – Former Executive Director at Native Child and Family Services of Toronto

Compensation

- **What is the update regarding interim payments?**

In early June 2020, The Courts approved an order allowing us to issue interim payments of \$21,000 to all Eligible Class Members. We are issuing these payments immediately and expect that people will start receiving them in the next few weeks.

Applicants whose applications are approved in the weeks and months ahead, as further Applications are processed, will also receive the interim payment of \$21,000.

- **How much money total will Eligible Class Members receive?**

Right now, we don’t know the final, total amount that each Eligible Class Member will receive because we don’t yet know the total number of approved applications. The principle behind the Settlement Agreement is that every Eligible Class Member will receive the same

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payment amount. Here's what it says in the Settlement Agreement notice about how the final, total amount of compensation will be determined (you can find that document [here](#)).

- If fewer than 20,000 Eligible Class Members submit claims, each Eligible Class Member will receive an amount equal to \$500 million divided by the number of Eligible Class Members who submit claims, to a maximum for \$50,000 per person.
 - If between 20,000 and 30,000 Eligible Class Members submit claims, each Eligible Class Member will receive \$25,000.
 - If more than 30,000 Eligible Class Members submit claims, each Eligible Class Member will receive an amount equal to \$750 million divided by the number of Eligible Class Members who submit claims.
 - If there are fewer than 20,000 claims by Eligible Class Members and the total amount paid to Eligible Class Members is less than \$500 million, the difference between the total amount paid to Eligible Class Members and \$500 million shall be paid to the Foundation.
- **Who will receive interim payments?**
Everyone who has received official notice of eligibility will receive an interim payment. As applications continue to be approved, we will continue to issue interim payments to those who qualify.
 - **How much money will people receive as an interim payment?**
\$21,000
 - **Will there be a second payment?**
Yes. However, we can't know exactly how much that second and final payment will be until we have more clarity on the number of Eligible Class Members.
 - **Will payments I receive be taxed?**
No. We have been advised by the CRA that these payments are not considered "income" and therefore are not taxable under the "income tax act." Please see this letter [<link>](#) for more information.
 - **Will payments I receive impact my ability to get social benefits?**
We expect that a number of benefit programs will *not* count these payments as "income" that would affect your benefits. However, we do strongly recommend reaching out to your benefits program directly to confirm this. It may help to share this letter [<link>](#) from the CRA that explains their assessment of these payments as not taxable income. If you have any questions or concerns about this, please contact Class Counsel.
 - **When will final payments be made?**

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Unfortunately, we don't have a timeline for that right now. What we can tell you is that we are actively monitoring public health guidelines and seeking the advice of our Indigenous partners to determine when it would be both safe and fair to reinstate deadlines. Once deadlines are back in force, and we have more clarity around the number of Eligible Class Members, we'll have a much better sense of timing.

- **If my application is approved later, can I still get an interim payment?**

Yes.

- **Is there enough money to ensure that everyone who is eligible can get an interim payment?**

Yes. There are enough funds available to cover all outstanding claims.

- **How will I get my payment?**

You will get your payment by cheque unless you have made other arrangements with the Administrator. If you have already requested payment by direct deposit, we strongly suggest that you give us a call to ensure we have all the right information.

- **My loved one, an Eligible Class Member, passed away. Who will receive the interim payment?**

Please let us know if you are in this situation. We will issue the interim payment to your loved one's estate executor.

- **How do I request payment by direct deposit?**

Please forward by **email**, **fax** or **mail** to Collectiva a direct deposit form, which you should be able to get from your bank or from your online banking account. Our call center cannot take the information for your direct deposit by telephone given the confidential nature of the information.

Please send your form to:

Email: sixtiesscoop@collectiva.ca

Fax: 514.287.1617

Mail: Sixties Scoop Settlement

2170 René Lévesque boulevard West, suite 200

Montreal QC H3H 2T8

NOTE: It is very important that the information on your direct deposit form matches the information you entered on your individual payment application meaning:

- The name on your direct deposit form should be identical to the name on your application

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- The address on your direct deposit form should be identical to the address on your application (if you have updated your address with our office since submitting your application, the address on the form should show your new address).

To avoid any issues with your direct deposit, please note:

- We cannot issue a direct deposit to a joint bank account.
- We cannot issue a direct deposit to an account that is for an estate.
- All banking information should be complete, containing your institution number, transit number, and bank account number.
- A direct deposit form sent by fax or by email as an image must be clear to read. We won't be able to process blurry forms.

FAQ on Bank Holds

- **What is Collectiva doing about the banks holding of cheques?**

It is important to note that federally regulated financial institutions are able to place a hold on a cheque for four to eight days and that this is common practice for large sums. Collectiva has actively communicated with various financial institutions to help resolve this. For our bank, Scotiabank, the procedure as of June 16th, 2020, has been the following:

- Compile a daily list from all branches across the country for cheque certification
- Once accounting has completed the daily positive pay, Collectiva confirms the cheque certification. This process usually takes 24 hours.

For other banks that get in touch with us for specific individuals, our procedure is the following:

- We confirm Collectiva has issued the cheque, though it is at the discretion of the bank to continue the hold even after we have confirmed it. We are actively monitoring this situation and are committed to ensuring this process continues to move along.

- **Why weren't the cheques certified before Collectiva sent them?**

Sending certified cheques for class action cases is not common industry practice. The reason for this is because if the cheque needs to be cancelled or altered in any way, that cannot be done and thus, the cheque can be treated as cash.

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This following information regarding potential hold on claimant cheques is based on information provided by Canada's Federally Regulated Financial Institutions. For details on your particular payment, you must call or visit your bank, credit union, or lending institution.

- **Why might my financial institution hold the funds deposited by cheque?**

A financial institution might hold the funds you deposit by cheque for several reasons, including:

- to make sure that the cheque is drawn on a valid account and that the person or company issuing the cheque has the money to cover it
- to make sure that the person or company issuing the cheque has not put a stop payment order on the cheque. (A stop payment order is placed on a cheque if, for some reason, the person or company issuing the cheque does not want it to be cashed.)

Federally regulated financial institutions (FRFI) are able to hold the money you deposit by cheque for 4 to 8 days. The amount of time depends on the amount of the cheque and how it was deposited.

There may also be additional delays—for example, if the cheque is written on an account located in another province or country.

If you have questions regarding deposits or holds, you must contact your own financial institution for details.

- **Can I have the hold removed?**

The process for a cheque to clear and be returned for non-sufficient funds normally takes about four or five days, provided the cheque writer's financial institution is located in Canada.

The amount of time it takes for a cheque to clear will depend on:

- the amount of the cheque
- whether it is deposited in person with an employee at one of a financial institution's branches or points of service, or in another manner, such as at an automated banking machine
- whether the cheque is drawn on a bank in Canada or outside Canada

Contact your financial institution for details on your account and deposit details.

- **Your right to receive information:**

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When you open an account, FRFI must give you a written copy of their policy on holding funds that are deposited by cheque. In addition, the financial institutions must also, in each of their branches, display and make available copies of their policy on holding funds deposited by cheque.

The financial institution's policy on holding funds deposited by cheque may be included in your account agreement or given to you as a separate document. The financial institution may provide this information to you electronically if you consent to receive required information in electronic format rather than as paper documents. You can also request a written copy of the policy at any time.

The financial institution's policy must contain the following information:

- the maximum amount of time it may hold funds for a cheque that is issued in Canadian dollars and drawn on an account at a financial institution's branch in Canada
- the maximum amount of time it may hold the funds deposited from a cheque that is not governed by access to funds legislation

Whether a hold will apply to your account(s) is not stated in this policy; the institution makes that decision when you deposit your cheque.

If you have an account at a deposit-taking institution that is not federally regulated, such as a credit union or caisse populaire, ask the financial institution about its policy on holding funds deposited by cheque.

From time to time, the financial institution may make changes to its policy on holding funds deposited by cheque. If the financial institution makes changes to this policy that result in a longer cheque hold period, it must let you know what these changes are before they apply to your account.

If you receive a regular statement in the mail, your bank must send you (or the person you choose to receive this information) a written notice explaining any change in its hold on funds deposited by cheque policy at least 30 days before the change is applied to your account.

If you carry a passbook, which you present to the financial institution when you make your transaction, your financial institution must display a notice explaining the change in its policy on holding funds deposited by cheque for at least 60 days before this change applies to your account.

Contact your financial institution for details on your account and deposit details.

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- **What you should do if you feel your rights are not being respected?**

If the financial institution refuses to honour the maximum cheque hold periods or does not provide you with the first \$100 of funds you deposit by cheque because of any of the exceptions noted above, the financial institution must give you a written notice of its refusal. If you do not receive it, ask for it. The bank must also tell you how to contact the Financial Consumer Agency of Canada (FCAC).

Tell the bank you want to make a complaint. By law, all banks must have a complaint-handling process. Call FCAC toll-free at 1-866-461-3222 for more information.

If you feel that a federally regulated financial institution is not respecting your rights, contact the Financial Consumer Agency of Canada.

Contact your financial institution to find out about its policy on holding funds and the maximum amount of time it may hold the funds you deposit by cheque drawn on a foreign bank or financial institution.

Eligibility

- **Who is eligible to receive compensation in this settlement?**

Here's is the exact wording in the Settlement Agreement describing the group of people who are Eligible Class Members in this specific Class Action (you can find that document [here](#)).

“The settlement includes people who:

- are registered Indians (as defined in the Indian Act) and Inuit as well as people eligible to be registered Indians; and
- were removed from their homes in Canada between January 1, 1951 and December 31, 1991 and placed in the care of non-Indigenous foster or adoptive parents”

- **What is the length of time that someone had to be “in care” in order to be considered eligible?**

By direction of the Exceptions Committee, the Claims Administrator can accept claims from Eligible Class Members who were placed in foster care for five or more cumulative years between 1951 – 1991, provided that the other criteria for eligibility are also met. This means that if you were in care for a total of five or more years (even if those years were spread out over time), that you can be considered eligible.

- **I have, or am eligible for, “Indigenous” status now, but I don’t know if I had or was eligible for that status when I was a child. Can my application still be considered for eligibility?**

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Yes. The Exceptions Committee has directed that the Claims Administrator may determine a Class Member's Indigenous status, or eligibility to status, as of the present, and need not investigate whether the class member had status, or was entitled to status, as of the date of their removal.

- **If I received a "Notice of Intent to Reject," what additional information do I need to provide?**

The answer to this question will likely be different for each person. Here is the list of reasons why we would assess an application as needing more information, in order to approve it:

- We were unable to confirm that you are a Registered Indian (as defined by the Indian Act), entitled to be a Registered Indian or Inuit;
- We were unable to confirm that you were placed in the care of non-Indigenous adoptive or non-Indigenous foster parents;
- We were unable to confirm that you were removed from your home between January 1, 1951 and December 31, 1991;
- We were unable to confirm that you were removed from a home in Canada;
- Unable to confirm that you were placed in long-term care with non-Indigenous parents within the meaning of the Settlement Agreement. (If this reason is selected, please send us more information on the length of time and location of your placement).
- The person you applied for died before February 20, 2009;
- Unable to confirm that you were adopted or made a Permanent or Crown Ward.
- Your application is missing information needed to process it. (If this is the reason, we've sent you a letter with your Individual Payment Application Form with the missing information highlighted in yellow).

Our strong recommendation is that you connect directly with Class Counsel to get their legal counsel and guidance about how best to update your application. Accessing these legal services is your right, and these services are already paid for under the Settlement Agreement. There will be no additional cost to you. [You can find contact information for the legal teams responsible for supporting Applicants below, under "Support and Resources."](#)

- **If the Administrator has determined that I am not eligible, what can I do?**

Under the Settlement Agreement, you have the right to ask that your application be reconsidered by the Reconsideration Officer. If you received an "Official Notice of Rejection" dated in either February or March 2020, the deadline for you to make that request has been suspended. That means you now have more time to seek that reconsideration. It is our strong recommendation that you reach out to Class Counsel for

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their support. It's important to note that the decisions made by the -Reconsideration Officer are final.

Resources and Support

- **How do I reach the lawyers who are paid to help me with my application?**

Accessing legal services to help you with your application is your right, and these services are already paid for under the Settlement Agreement. There will be no additional cost to you.

Here's the contact information of the legal teams responsible for supporting you:

British Columbia:	Klein Lawyers - 1-604-874-7171
Alberta:	Merchant Law Group - 1-306-653-7756
Saskatchewan:	Merchant Law Group - 1-306-653-7756
Manitoba:	Merchant Law Group - 1-306-653-7756
Quebec:	Merchant Law Group – 1-306-653-7756
Ontario:	Koskie Minsky - 1 855-595-2626 or Wilson Christen LLP (now CSBH LLP) - 1-866-360-5952
NWT and all Atlantic Provinces:	Koskie Minsky - 1-855-595-2626

- **Who do I talk to if I want to know the status of my application?**

The Administrator can help answer questions about the status of your application. You can reach us toll-free at 1-844-287-4270 or by email: sixtiesscoop@collectiva.ca. We want you to know that, if you haven't heard from us for a while, that just means we haven't been able to do all the work we need to do to assess your application. But please know we are working on it and you will hear from us as soon as we have an update for you. There's nothing more you need to do right now, except to keep us up to date with any changes to your address or phone number. We are very grateful for your patience.

- **Who can help me if I got a "Notice of Intent to Reject" letter?**

If you received this letter and it was dated in February or March of 2020, that means the deadline to get additional information to the Administrator has been suspended for now. Our strong recommendation is to use this time to connect with Class Counsel who can

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provide you with legal advice that may help support your application's approval. Please know that access to these legal services is your right and is already paid for under the settlement. There will be no additional cost to you. You can find their contact information in this section above.

- **Who can help me if I got an "Official Rejection" letter?**

If you received this letter and it was dated in February or March of 2020, that means the deadline to request an appeal has been suspended for now. Our strong recommendation is to use this time to connect with Class Counsel who can provide you with legal advice that may help support your application's approval. Please know that access to these legal services is your right and is already paid for under the settlement. There will be no additional cost to you. You can find contact information in this section above.

- **Where can people get counseling and support if they are in crisis?**

If you or anyone you know is in crisis, please call the **Hope for Wellness Helpline**. These are trained counselors who specialize in Indigenous mental health, and they are there to support you 24 hours a day, 7 days a week. **The number is: 1-855-242-3310, or you can reach them online at www.hopeforwellness.ca.**

Foundation

- **What is the Sixties Scoop Foundation?**

The approved national settlement for Sixties Scoop survivors provides \$50 million to establish a Sixties Scoop Foundation. This Foundation is fully independent of government. And it is for everyone impacted by the Sixties Scoop, and primarily for survivors across the country—Inuit, First Nations, Métis, non-status—everyone. An Interim Board of this brand new Foundation has come together to guide the very first steps of its development. You can find more information about the Foundation here: <https://60sscoopfoundation.com/>

- **When will the Foundation start granting funds?**

Right now, the Foundation is still in its development phase. This past year, the Foundation ran a nation-wide engagement process (paid for separately by the Government of Canada) to hear the voices of Survivors and get their direct input on how the Foundation can best serve them. That engagement process will conclude with a final report of recommendations to the Interim Board, grounded in Survivor's feedback and aspirations for their Foundation. These recommendations will help guide and inform granting decisions. To learn more about the engagement process, and to stay up to date with the Foundation's development, please visit: <https://60sscoopfoundation.com/>

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About the Sixties Scoop Class Action

- **What is this Class Action about?**

Between 1951 and 1991, First Nation and Inuit children were taken into care and placed with non-Indigenous parents where they were not raised in accordance with their cultural traditions nor taught their traditional languages. This dark chapter in Canada's history is commonly referred to as the "Sixties Scoop." The Class Action argues that those affected by the Sixties Scoop suffered significant harms as a result of these practices--specifically the loss of their cultural identity.

- **When was the National Settlement approved?**

The National Settlement between the Government of Canada and plaintiffs representing the group of Sixties Scoop Survivors who constitute "Eligible Class Members" was approved in December 2018.

- **Why are there two different Courts involved?**

The original Class Action, which ultimately led to the National Settlement, was filed with the Ontario Superior Court. It was the Ontario Superior Court that found the Government of Canada liable for harms. Through settlement agreement discussions between the Ontario lead plaintiff and the Government of Canada, as well as with counsel representing Sixties Scoop Survivors across the country, it was determined that the definition of "Eligible Class Member" should be broadened to include those beyond what was defined in the Ontario case. The Federal Court presides over decisions that impact Class Members who are included in that broader group.