

# CARE STATUS GUIDE

*Types of government care arrangements in BC*



**CARE**  
BEYOND CARE



# Overview

These are all the different care statuses

## Out of Care



- Extended Family Program (EFP)
- Interim Custody Order with person other than a parent
- Temporary Custody Order with person other than a parent
- Adoption
- Permanent Transfer of Custody Order with person other than a parent (54.01/54.1)

## In Care

- Voluntary Care Agreement (VCA)
- Special Needs Agreement (SNA)
- Interim Custody Order with a Director (ICO)
- Temporary Custody Order with a Director (TCO)
- Continuing Custody Order with a Director (CCO)
- Under the Guardianship of a Director (Infants Act)
- Under the Guardianship of a Director of Adoption (Adoption Act)
- Independent Living Agreement (ILA)

## Other

- Youth Agreement (YAG)

\*Need help understanding your care status, or getting a proof of care letter?  
Contact a **YOUth Support Staff** at the Fed! ([www.fbcyicn.ca](http://www.fbcyicn.ca))

You can also contact:  
**SAJE Provincial Support Services**  
(SPSS) at 1-866-623-3001  
[MCF.SAJE@gov.bc.ca](mailto:MCF.SAJE@gov.bc.ca)



# Out of Care



## Extended Family Program (EFP)

When a young person stays with family, a close friend, or cultural relation who has been authorized in writing by a parent to care for them. (Sometimes called Kinship care)

An EFP keeps the parent as the child's legal guardian while providing financial support to the care provider. The care provider is responsible for the child's daily care while their parents are temporarily unavailable under s. 43 of the Family Law Act. MCFD or an ICFS Agency do not have a direct role in a young person's care, however, the agreement must be created under their supervision.

## Interim Custody Order with person other than a parent

When a young person has been removed from their parents and is placed with someone other than their parent by a court until their protection hearing (court) can occur.

After removal, a child can be placed in an Interim Custody Order, which puts the child in the care of someone who is not their parent until a full protection hearing can occur.

## Temporary Custody Order (TCO) with person other than a parent

When a young person has been removed from their parents and is placed in the care of someone other than their parent temporarily by a court, after a protection hearing (court).

A temporary custody order can be made by a judge at the end of a protection hearing.

## Adoption

When someone adopts a young person and becomes their long-term, permanent guardian.

The court can make an adoption order if it is satisfied that (a) the child has lived with the caregiver for at least six months before the adoption, and (b) it is in the child's best interests to be adopted. Adoption legally terminates the rights of a child's legal or biological parents, and guardianship is transferred to the new adoptive parents.

## Permanent Transfer of Custody Order with person other than a parent (54.01/54.1)

When a young person's custody is permanently transferred to someone other than their parent – typically the caregiver or care provider they have been staying with. (This custody order ends at age 19).

54.01 (out of care): If a child in an "out of care" arrangement (i.e. an EFP) and cannot return to their parents, the child's caregiver may apply to become their legal guardian and have the child placed permanently in their care.

54.1 (in care): If a child in government care under Continuing Custody Order status has been living with their caregiver for at least six months, their caregiver may apply to become the child's legal guardian and have them permanently placed in their care.

# In Care



## Voluntary Care Agreement (VCA)

When a young person is placed into government care voluntarily by their parent, because they are temporarily unable to care for them.

When a child age 12+ is placed voluntarily in care by their parents because they are unable to care for them and do not know of other eligible caregivers. Placements are temporary, with a limit of 24 months. The parent(s) can cancel the agreement at any time.

## Special Needs Agreement (SNA)

When a young person with physical, medical, or emotional needs that cannot be met by their parents, is voluntarily placed in government care.

A parent who has a child with physical, medical or emotional needs that they cannot meet may choose to have their child placed with a specialized caregiver through a Special Needs Agreement. The parent(s) can cancel the agreement at any time. There is no time limit to a SNA.

## Interim Custody Order with a Director (ICO)

When a young person has been removed from their parents and is placed temporarily in care by a court until their protection hearing (court) can occur.

If a judge finds that a child cannot return to their parent or someone else after a presentation hearing, the judge may decide to place the child in the care of the Director ("in care") until a protection hearing can occur.

## Temporary Custody Order with a Director (TCO)

When a young person has been removed from their parents and is placed in government care temporarily by a court following a protection hearing.

Following a protection hearing, the child remains or is placed in the custody of the Director for a specified time (up to 24 months for children ages 12+).

## Continuing Custody Order with a Director (CCO)

When a young person who has been removed from their parents is placed in government care and a Director (MCFD/ICFS Agency staff) becomes their legal guardian.

When all avenues to return the child to their family and community members have been exhausted, they may be placed in a CCO. Under a CCO, the Director is the child's legal guardian.

# In Care



## Under the Guardianship of a Director (Infants Act)

When a young person's parents die, and they are brought into government care.

Under the Infants Act, if a child's parents die, the Director assumes guardianship responsibilities.

## Under the Guardianship of a Director of Adoption (Adoption Act)

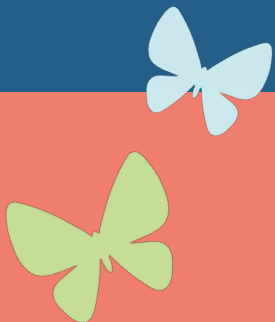
When a young person in care is legally able to be adopted.

When a child is legally able to be adopted, after the court has granted a CCO or when the parent(s) have placed the child for adoption or consented to the child's coming into care.

## Independent Living Agreement (ILA)

When a young person in care aged 16-19th birthday is supported to live independently.

A legal agreement between the Director and a youth (age 16-18) that is under a CCO (guardianship), and sometimes a TCO, to assist them to achieve independence or return to their parent(s).



# Other

## Youth Agreement (YAG)

When a young person aged 16-19th birthday, who is unable to live with their parent/caregiver, is supported to live independently.

A YAG is a legal agreement between the Director and a youth (age 16-18, or a youth under 16 that is married, or a parent or expectant parent). The goal is to assist the young person in achieving independence or returning to their parent(s).