

# INFORMATION REGARDING SHORT FORM DECISIONS



This information is applicable to claims involving represented claimants in the standard track of the Independent Assessment Process (IAP).

Effective January 4, 2010, Short Form Decisions will become available for some claimants in the IAP. Short Form Decisions, which are a voluntary option, eliminate the need for a full written decision and will reduce the amount of time from the hearing date to compensation being paid. If a Short Form Decision is used, the Parties will be required to agree to the compensable levels and associated points for acts proven, harms, aggravating factors and loss of opportunity at the conclusion of the hearing. It is recognized that for some Claimants, receiving a full decision that includes a detailed narrative of evidence and rationale supporting the decision is very important for memorialization and other reasons. For others, the recognition and receipt of a final decision as soon as possible following the hearing is of paramount importance. The goal of the Short Form Decision is to provide options to Claimants without attempting to influence their choice.

Short form decisions will be available when **each** of the following requirements is met:

- The claim is in standard track,
  - The Claimant is represented by counsel,
  - All testimony, research, and mandatory document production is complete and submitted before the hearing,
  - The future care plan (if any) is submitted by the end of the hearing,
  - Submissions take place at the end of the hearing,
  - The claimant, having received independent legal advice, provides written consent to the use of a short form decision, and,
  - The representatives of the Parties that attend the hearing provide written consent to a Short Form Decision.
- (Note:** when a Church Party chooses not to send a representative to the hearing, Canada is able to consent to a Short Form Decision on the Churches behalf).

In those cases where a Short Form Decision is rendered:

- The decision will be signed by the Adjudicator, and the Parties attending the hearing, and ,
- The parties retain their right to have the decision reviewed.

For greater clarity, a Short Form Decision is NOT available:

- When the Claimant is self-represented,
- When an Alleged Perpetrator testifies, disputing responsibility, or,
- In any other case where, at the end of the hearing, a material issue remains with respect to credibility, liability, or compensation.

Should you have any questions regarding Short Form Decisions, please do not hesitate to contact us at: **info@iap-pe.ca** or toll-free at **1-866-879-4913**

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Adjudication Secretariat

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