



Community Resources

Child and Family Services

122 - 3rd Avenue N.
Saskatoon, Canada
S7K 2H6

May 23, 2006

Phone: (306) 933-5187
Fax: (306) 933-6011

Mark Vanstone
Roe & Company
313 220 3rd Avenue South
SASKATOON SK S7K 1M1

Dear Mr. Vanstone:

Re: [REDACTED] v. [REDACTED]
Your File No. 2132.1

I have had an opportunity to review the documentation regarding this application and it is clear from your materials that any involvement the Department of Community Resources may have had with this child would necessarily fall under *The Child and Family Services Act*. As you know, Sections 73 and 74 of *The Child and Family Services Act* require the Department of Community Resources to preserve confidentiality and those employed in the administration of this Act are not compellable to give evidence and shall not be required to produce any documentation. These provisions exist to ensure the safety and well being of all children in this Province, and the provisions apply here.

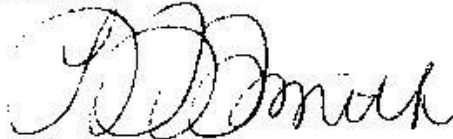
Identifying information sought in paragraph 4 of your draft order would be more easily obtainable at this time directly from [REDACTED]. Should your client be successful at obtaining a declaration of paternity, s. 74(2) of *The Child and Family Services Act* would allow the Department of Community Resources to provide any information it has in its possession regarding the child directly to your client without the need of a court order. Please be advised, however, that this child has never been in the care of the Department of Community Resources.

Even if there was involvement by the Department of Community Resources under Part III of *The Child and Family Services Act*, Section 12(1) of *The Children's Law Act* expressly provides the Minister of Community Resources shall not be joined as a party to the proceedings. I would respectfully request that you remove the Minister of Community Resources for Saskatchewan as a respondent on this application.

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As the prescribed statutory authority is clear, I had not intended on appearing in Chambers in response to this Notice of Motion. Should you wish to oppose application of s. 73 and s. 74 of *The Child and Family Services Act*, please advise me and I will make arrangements to be present.
I trust this to be in order.

Yours truly,



Lori Sandstrom-Smith
Crown Counsel