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Canada

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## Via Hand-Delivery

Our File Number: LEX-500219273

September 17, 2026

Federal Court of Canada  
90 Sparks Street, 5<sup>th</sup> Floor  
Ottawa, ON K1A 0H9

### Attention: Registry Officer

**Re: The Attorney General of Canada  
v. First Nations Child and Family Caring Society of Canada et al.**

Please bring this letter to the attention of the Chief Justice.

Pursuant to the *Practice Guidelines for Aboriginal Law Proceedings, September 2021 (4th Edition)* and Rule 384 of the *Federal Courts Rules*, the Attorney General of Canada requests an order that the above-noted proceeding continue as a specially managed proceeding.

On today's date, the Attorney General of Canada commenced an application for judicial review of the Canadian Human Rights Tribunal's August 18, 2026 letter decision in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada*, Tribunal File No. T1340/7008, by which the Chairperson dismissed Canada's request to reconstitute the three member Tribunal panel hearing the inquiry, with reasons to follow.

The application raises issues concerning the reasonableness of the decision, natural justice and procedural fairness. Given the history of the underlying matter, the number of parties and interested participants involved, and the complexity of the issues raised, the Attorney General of Canada is of the view that case management is necessary to ensure the effective management and expeditious disposition of this proceeding.

Further, this matter falls within the scope of Part III(C) (Applications for Judicial Review) of the *Practice Guidelines for Aboriginal Law Proceedings*. The proceeding arises from the long-running litigation concerning First Nations child and family services and Jordan's Principle and engages issues of significant importance to First Nations communities and the administration of the Tribunal process.

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Although the Attorney General intends to advance this matter as expeditiously as possible, the Tribunal has indicated that reasons for its August 18, 2026 decision will follow at a later date. The timing of the release of those reasons remains uncertain. Accordingly, the Attorney General does not request that a case management conference be scheduled at this time. However, a conference may become necessary if the parties are unable to reach agreement on a timetable for the next steps in this proceeding or if the release of the Tribunal's reasons gives rise to case management issues requiring the Court's direction. Should such a conference become necessary, the Attorney General will canvass the parties' availability and seek to have a case management conference scheduled to establish a timetable for the further conduct of this application.

Sincerely,



Dayna Anderson  
Senior General Counsel

CC:

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