COPY OF ORDER

SEAL

Superior Court of Justice of Ontario
161 Elgin Street, Ottawa, ON K2P 2K1

2019-55440

FC-19-CP000008
Form 25: Order (General)
☒ Final

C. MacLeod
SD April 8, 2019
ED April 7, 2024
DD1 7 JAN 2024
DDR Lawyer's
DD2 6-August-2019
DDB Check results of Hearing

Applicant
The Children's Aid Society of Ottawa
1602 Telesat Court
Ottawa, ON
K1B 1B1
ph (613) 747-7800
fx (613) 747-1933

Lawyers
Tara MacDougall
1602 Telesat Court
Ottawa, ON
K1B 1B1
(613) 747-7800 x3245
(613) 747-1933
tara.macdougall@casott.on.ca

Respondents
- Deirdre Moore (confidential)
- Jonathan Kiska
  1244 Lampman Crescent
  OH, ON K2C 1P8
  tel 613-794-5292

Wade Smith
Bell Baker LLP
700-116 Lisgar Street
Ottawa, ON K2P 0C2
tel 613-237-3444
fx 613-237-1413
wsmith@bellbaker.com

Children's Lawyer
Sean Kiska's Lawyer

Cate Kiska's Lawyer

Debora Scholey
29-4338 Innes Road
Ottawa, ON K4A 3W3
tel (613) 424-0629
fax (613) 482-4733
debora@scholey.ca

The court heard an application made by
The Children's Aid Society of Ottawa

The following persons were in court
Brian Fisher, agent for Tara MacDougall, counsel for the Society;
The child protection worker;
Wade Smith, counsel for the father
The father
Debora Scholey, counsel for the children
scribbled in "The mother (by teleconference)"

The court received widence and heard submissions on behalf of:
Parties present

THIS COURT FINDS THAT:
Statutory findings for both children are made in accordance with the affidavit filed by the father over the bench today.

The respondent mother, Deirdre Moore, is in default of these proceedings.

The children Sean Kiska and Cate Kiska, are found to be children in need of protection, pursuant to ss. 74(2)(b)(i); 74(2)(b)(ii); 74(2)(h) of the Child Youth and Family Services Act.

THIS COURT ORDERS THAT:

I. The children Sean Kiska (DOB: May 8, 2006) and Cate Kiska (DOB Nov 30, 2007) shall be placed in the care of their father, Jonathan Kiska, under the supervision of the Society, for a period of four months, under the following terms and conditions:

FOR BOTH PARENTS:

1. The father and the mother shall work cooperatively with the Society, follow through with the Society's recommendations, and allow the Society worker to have private meetings with the children in the home, school and community, on an announced and unannounced basis.
2. The father and the mother shall accept referrals to community services as required.
3. The father and the mother shall sign consents to share information with professionals involved with the family, as requested, in consultation with legal counsel.
4. The father and mother shall inform the Society of any change in the family constellation, change of address, circumstances or contact information
5. The father and the mother shall refrain from discussing adult matters (such as court proceedings) in the presence of the children.
6. The father and the mother shall cooperate with one another to provide for the children as they see fit and inform the Society accordingly.

FOR MS. MOORE ONLY

7. Ms. Moore shall attend her family physician and/or treating psychiatrist and any involved mental health professionals regularly and follow all recommendations, including counselling and medication, in regards to her mental health.

II Access to the mother shall be at the discretion of the Society and in accordance with the children's wishes.

III Pursuant to s. 137 of the CYFSA, Ms. Deirdre Moore shall be restrained from the following:

1) DM, shall not attend within 500 m of the residence of the father, JK
2) DM, shall not attend within 500 m of the children's schools, unless prior approval is obtained in writing from the Society
3) DM, shall not communicate with the children Sean and Cate Kiska, by any means (electronic, telephone, etc.) without the supervision of the father, JK.
4) DM, shall not have any physical contact or access with the children Sean and Cate Kiska, except fully supervised access at the discretion of the Children's Aid Society of Ottawa.

IV This restraining order shall be enforced by the Ottawa Police Service (OPS), the Ontario Provincial Police (OPP), the Royal Canadian Mounted Police (RCMP), or any other police service within its jurisdiction.

V This order shall remain in force unless it is varied, extended or terminated by the court.

VI This matter will return for Status Review on August 6, 2019.

Fresh one? April 8, 2019 L. MacLeod J.