

History of the Recognition of Custom Adoption in the NWT

- In 1961 Justice Sissons recognized aboriginal custom adoption in the Northwest Territories.
- In October 1992, the NWT Cabinet directed the Ministers of Justice and Social Services to develop a simple process for recognizing custom adoptions.
- On September 30, 1995, the Aboriginal Custom Adoption Recognition Act came into effect.

For more information

If you would like more information about the Aboriginal Custom Adoption Recognition Act, please contact the Department of Health and Social Services at:

Adoption Services
Protective Services
Department of Health and Social Services
Government of the Northwest Territories
P.O. Box 1320
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CUSTOM

ADOPTION

Adoption Commissioners
and the
Aboriginal Custom
Adoption Recognition Act



The Aboriginal Custom Adoption Recognition Act provides a process whereby the Supreme Court of the NWT can recognize custom adoptions that have occurred in the Northwest Territories.

What is Custom Adoption?

Custom Adoption is a privately arranged adoption between two aboriginal families. There are no social workers or lawyers involved in a custom adoption.

Adoption Commissioners

What does the Adoption Commissioner do?

The Adoption Commissioner makes sure the adoption was done in the traditional way, following aboriginal custom.

The Adoption Commissioner helps the family fill out the forms needed by the Supreme Court to say the child has been adopted and to change the child's name.

The Supreme Court will only accept custom adoptions that the Adoption Commissioner says were done in the traditional way.

How is the Adoption Commissioner chosen?

The Adoption Commissioner is chosen by the community. This could be the hamlet or band council. The community may form a selection committee to help them choose adoption commissioners.

Villages, hamlets and communities may choose up to two (2) people to be Aboriginal Custom Adoption Commissioners. Towns may choose up to four (4) people. Commissioners are chosen because of their knowledge of customary law.

The community sends the list of the people they have chosen to the Department of Health and Social Services.

The Adoption Commissioner is appointed by the Minister of Health and Social Services.

Appointing the Adoption Commissioner

- The Adoption Commissioner is trained by the Department of Health and Social Services before he/she is appointed.
- The person chosen becomes an Adoption Commissioner on the day the Minister of Health and Social Services signs the appointment form.
- A letter from the Department of Health and Social Services is sent to the Adoption Commissioner when they have been appointed.
- An Adoption Commissioner is appointed for three years. If the hamlet or band council suggests it, the adoption commissioner may serve another three year term.
- The appointment may end if the Adoption Commissioner is asked to quit by the hamlet or band council that first nominated them.
- The appointment will end if the Adoption Commissioner leaves the Northwest Territories, wants to quit or dies.

