

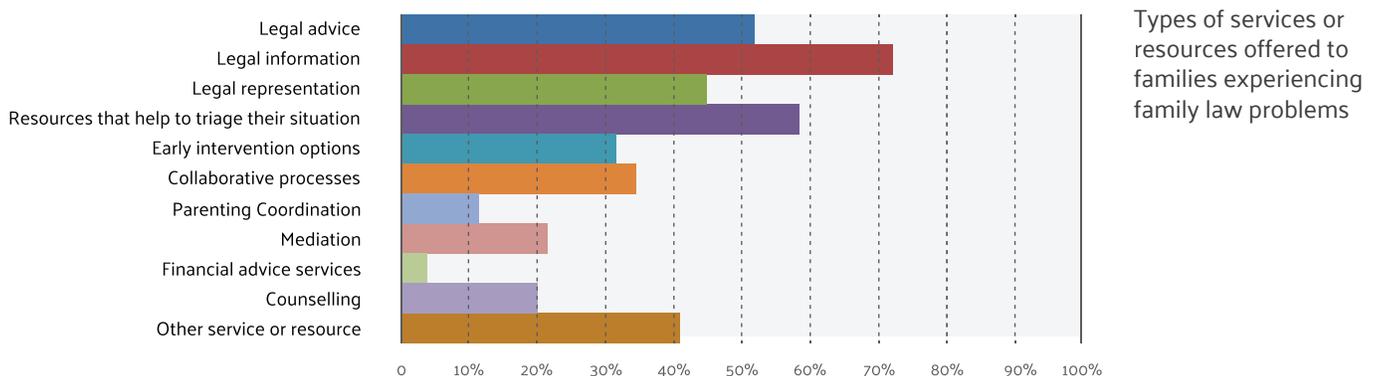
Goal 04

Improve Family Justice

The need for improvement in family justice is extreme. A large number of people face family breakdown without the help of a legal professional. As they navigate the mix of legal, financial, social and parenting situation conflicts, people experience spiraling health, wellbeing, economic and employment issues. The extent of the access to justice crisis in family law warrants immediate attention. The projects undertaken in 2017 are just some of the responses to that crisis.

The 2016 baseline

At the start of the year, 45% of survey respondents indicated that they offered targeted legal or non-legal services or resources to families dealing with a family law problem. When broken down by type of organization, 50% of government respondents, 37% of not-for-profits respondents, 70% of legal clinic respondents, 50% of law school respondents and 75% of private-sector respondents offered targeted family services.



New Thinking

The federal government's Canadian Family Justice Fund supported new strategies, models and tools intended to improve access to family justice across Canada. Alberta's Reforming the Family Justice System is a collaborative project of organizations approaching reform efforts by recognizing that family matters are primarily social, relationship-based and financial, with a legal element. In Ontario the Law Society of Upper Canada and the Ministry of the Attorney General released the Bonkalo Report on Family Justice, outlining recommendations for change and inviting public comment. Mediate BC developed a Family Law Unbundling Toolkit and partnered with the Law Society of BC to create a roster of family lawyers ready to provide unbundled legal services. The Winkler Institute for Dispute Resolution worked with the Ontario government to explore ways that technology can support families in the legal system. In Alberta, the Aspire Legal Access Initiative launched, offering a new nonprofit model of training family lawyers within an access to justice approach.

New Tools to Understand the Family Justice System

2017 saw the publishing of a number of new print resources, including a Family Law Handbook in New Brunswick, a self-help guide for applying for uncontested divorces in Manitoba and guide on how to apply for state-funded counsel in child protection appeals in Nova Scotia. Alberta's LegalAve added in-depth legal information on Breakdown in Family Relationships. A new resource book in Nova Scotia helps assist judges, lawyers, court staff and other professionals to manage high conflict family law cases. The Canadian Research Institute for Law and the Family published its

Successfully Parenting Apart Toolkit. Saskatchewan's Public Legal Education Association developed a plain language interview-style online tool to complete required family justice forms. Ontario's Steps to Justice added many family law topics, including resources for low-income families.

Programs that help people understand family law were also introduced including a free Best Interests of the Children in Custody and Access course offered by CLIA in PEI. In the Northwest Territories, the Respectful Relationship program was offered to men in correctional facilities, aimed to reduce family violence. Monthly family law workshops were offered in New Brunswick and in Newfoundland and Labrador. The Ontario Justice Education Network ran its Family Law for Young Parents program, helping young parents build understanding about common legal issues as well as a sense of competence and self-determination.

New Services

A new High Conflict Information Program pilot was launched in Nova Scotia tailoring the Parent Information Program to families experiencing high levels of conflict. Intake information sessions were also modified into online modules for better access across the province. Across Canada, Pro Bono Students Canada's Family Law Program saw students providing assistance to low-income litigants in BC, through the Legal Services' Society's LiveHelp instant messaging service, in Alberta and Manitoba assisting with document preparation and across Ontario at courthouses by helping litigants complete forms for custody, child support and other matters. In Manitoba, at the Family Law Access Centre,



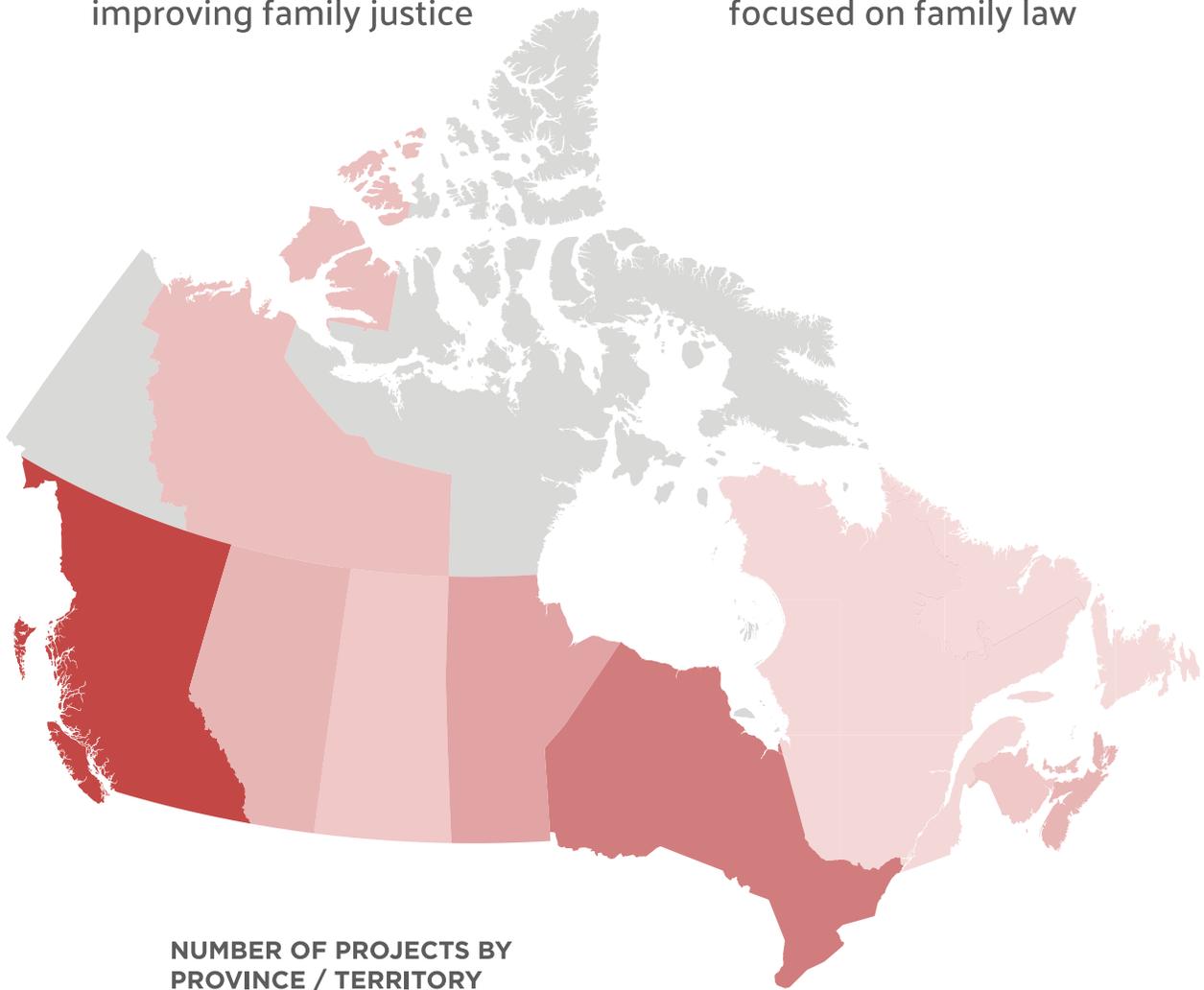
In BC, AB, and ON new thinking has resulted in new tools for
UNBUNDLING LEGAL SERVICE DELIVERY

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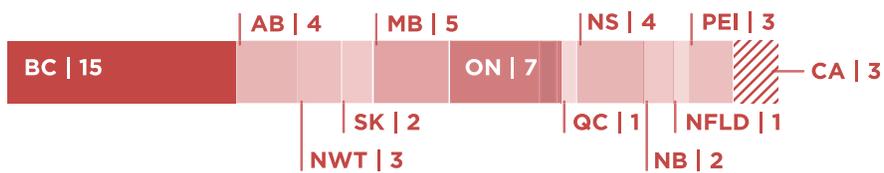
Projects aimed at improving family justice

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New government initiatives focused on family law



NUMBER OF PROJECTS BY PROVINCE / TERRITORY



the Law Society developed a protocol for brokering between lawyers prepared to accept reduced rates and potential clients in which the Law Society paid the legal fees initially and accepted monthly payments from clients. This model was recently adopted by Legal Aid Manitoba, extending the reach of the program. The Winkler Institute's Family Justice & Mental Health Social Lab brought together social workers, lawyers, mental health workers, psychologists, family physicians, academics, and children and youth advocates to look at the experience of litigants with mental health challenges in the family justice system.

Government Initiatives

BC has focused on changes to its family justice system, with many new programs. It added Aboriginal cultural practices to the child protection case conference process to involve elders and community members, include cultural elements, educate legal professionals about the legacy of colonialization and focus on the strengths of the family. Vulnerable Indigenous families worried about losing their children will now have a stronger voice through the Aboriginal Family Healing Court Conference pilot project. The Child Support Service Project, originally piloted in Kelowna, has been expanded to Victoria, Vancouver and Surrey and provides Child Support Officers to help parents navigate the process of obtaining or changing child support orders and agreements. Family justice counsellors provide mediation services and use an assessment tool to assess the conflict, debt, health, violence and parenting issues before making referrals. The Child Support Solution Explorer was piloted, testing this online system of 24/7 access to information, tools and supports that parents need to resolve child support issues with less conflict. The new Child Protection Mediation program offered mediation as an alternative to the court process, working with rural and remote communities and Delegated Aboriginal Agencies.

Other provinces have also seen family innovations. In the Northwest Territories a new family law duty counsel was

established. Manitoba courts evaluated the Family Justice Resource Centre pilot that provides triage services, referrals and resources for families, making the Centre a permanent resource. PEI established a Children's Lawyer to address the needs of young people. In Quebec, a new duty counsel lawyer was provided in Montreal's Superior Court to assist family litigants. In Winnipeg, the Court of Queen's Bench introduced a new child protection model to prioritize child protection proceedings and address delays. BC's Supreme Court developed a "Family Order Pick List" setting out standard terms for family case orders allowing clerks to electronically populate orders, streamlining the process and avoiding confusion. Saskatchewan's Family Matters program minimized the impact of separation and divorce on family members, especially children, by providing resources to deal with a changing family situations and assistance resolving urgent issues.

Community-Based Family Justice Services

Pro bono legal services were offered at Discovery House in Alberta and the Legal Help Centre in Manitoba. Legal Services Society's Parents Legal Centre was expanded from Vancouver to Surrey. A2JBC launched a Kamloops pilot of the Family Justice Pathfinder, in partnership with justice system stakeholders, designed to connect people to services to promote their well-being through the separation and divorce process. Legal coaching was offered by the National Self-Represented Litigants Program. The Mi'kmaq Family Resource Center in Charlottetown provided supervised access space for Indigenous families in PEI. Ontario's Legal Innovation Zone launched its Global Family Justice Initiative while The Action Group on Access to Justice held a symposium to Reimagine the Child Welfare system.