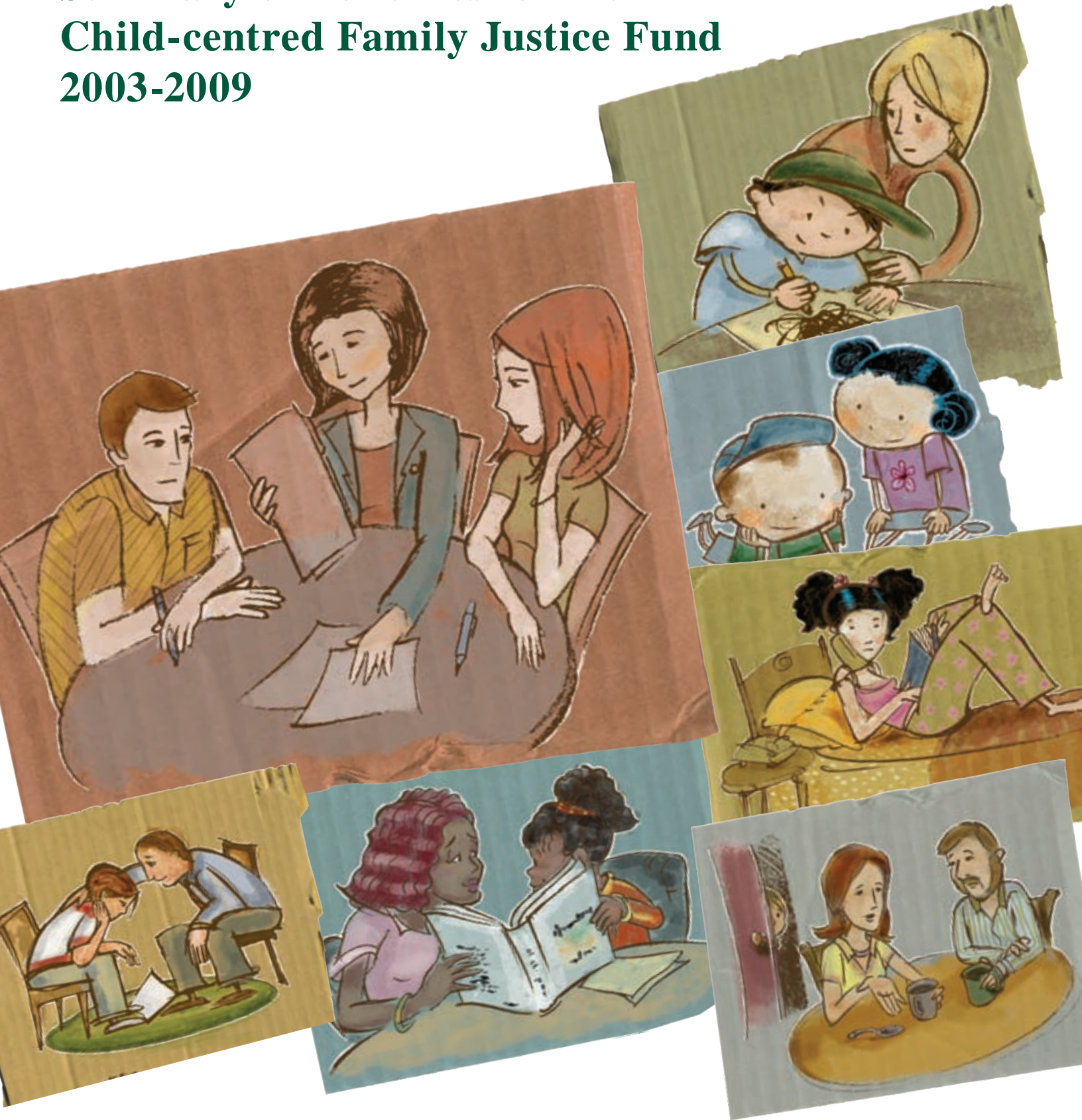


Summary of Activities for the Child-centred Family Justice Fund 2003-2009



**Summary of Activities for the
Child-centred Family Justice Fund
2003-2009**



Program Development Unit
Family, Children and Youth Section
Department of Justice Canada

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PREAMBLE

The Child-centred Family Justice Fund (CCFJF) was the key component of the Government of Canada's Child-centered Family Law Strategy (CCFLS). This Strategy was initially a five-year initiative that operated from April 2003 until March 31, 2008. However, it was extended an additional year, until March 31, 2009.

The Strategy was composed of three pillars that aimed to develop and maintain a more child-centred family justice system. The focus of this document is on activities that were funded to support the Family Justice Services pillar of the Strategy. The objectives of that pillar were to develop, expand and maintain family justice services in Canada, in partnership with provincial/territorial investment. Through the Fund, family justice services received federal contribution funding based on a set of objectives and "Primary Areas of Activity" that were developed in collaboration with the provinces and territories. The Fund consisted of grants and contributions that were allocated to provinces, territories and non-governmental organizations. These grants and contributions were organized according to three components:

1. Family Justice Initiatives,
2. Pilot Projects, and
3. Public Legal Education and Information and Professional Training.

This document provides a brief history and context of the Strategy and Fund, including the principles and primary areas of activity, followed by a summary of the funded activities undertaken by the provincial, territorial and non-government organization partners from 2003 to March 31, 2009.

INTRODUCTION

The Child-centred Family Justice Strategy was announced by the Minister of Justice on December 10, 2002 and began in April 2003. The purpose of the Strategy was to help parents focus on the needs of their children following separation and divorce. At its inception, the Strategy consisted of three independent pillars: family law reform, expansion of Unified Family Courts, and support for family justice services through the Child-centred Family Justice Fund. These pillars, whether acting as independent components or as a whole, were intended to help develop and maintain a child-centred family justice system where:

- the decisions made by separated and divorced parents and the courts would be tailored to the individual needs of children;
- the family justice system would facilitate the timely resolution of family law matters; and
- there would be increased compliance with parenting arrangements and child support obligations.

The first two pillars did not proceed as planned. Although a Bill (former Bill-C22) was tabled in December 2002 to reform family law and allow for the expansion of Unified Family Courts, it died on the Order Paper with the prorogation of Parliament in November 2003. However, the family justice services pillar enjoyed a successful progression from the beginning.

A summative evaluation of the Child-centered Family Justice Strategy was undertaken in 2007. In general, the Strategy was successful in supporting a move towards collaborative and less adversarial family law processes. There was an expansion of family justice services offered by the provinces/territories over the course of the Strategy: from 2003-2004 to 2006-2007, 71 provincial/territorial family justice services were expanded, 32 new ones were introduced and 176 were maintained.

Overall, services such as mediation and parent education were recognized as useful and important tools in helping parents to recognize the needs of their children and minimize the negative impact of separation and divorce on the children.

Background

The provision of family justice services to Canadians is a provincial and territorial responsibility. The Government of Canada does not provide services directly, but is committed to helping the provinces and territories to develop, implement and maintain these services. This was accomplished through the Child-centered family Justice Fund (CCFJF). The Fund consisted of a transfer payment program totalling \$80 million over five fiscal years (from 2003-2004 to 2007-2008) that were allocated to the provinces, territories and non-governmental organizations. Budget 2008 committed another \$16 million for one additional year, until March 31, 2009.

The Fund was organized and distributed on an annual basis according to three component of Family Justice Initiative (\$15MF), Pilot Projects (\$.5 M) and Public Legal Education and Information (\$.5M).

Historically, the federal, provincial and territorial jurisdictions have enjoyed a collaborative relationship in the area of family justice that began with the establishment of the Federal/Provincial/Territorial Family Law Committee in the late 1970s. This committee provided the federal, provincial and territorial governments a forum to discuss and act upon common policy and program issues and problems facing the family justice system.

This initial collaboration led to the development and implementation in the early 1980s of provincial and territorial Maintenance Enforcement Programs, along with federal enforcement legislation to assist the new Maintenance Enforcement Programs in their efforts to enforce support obligations. In 1991 and 1992, to further assist the provinces and territories, the Department of Justice Canada participated in the federal, interdepartmental “Brighter Futures Initiative”. Funding provided through this initiative allowed the Maintenance Enforcement Programs to continue to improve their operational, administrative and enforcement capacities.

Introducing the element of funding to help the provinces and territories provide an important service within the family justice system proved to be a formative step in building broader family justice partnership strategies for the future. This was seen in the Child Support Initiative from 1996 to 2001. In addition to legislative reforms, the Child Support Initiative included further funding to the provinces and territories for family justice services to implement the Federal Child Support Guidelines and the new and enhanced support-enforcement measures, as well as funding for other family justice services related to children.

The success of the federal, provincial and territorial collaboration during the Child Support Initiative certainly contributed greatly to the establishment of a larger, more encompassing Coordinating Committee of Senior Officials—Family Justice, which replaced the Family Law Committee. It also contributed a great deal to the development and implementation of the Child-centred Family Law Strategy and the Child-centred Family Justice Fund, which were also based on the strong partnership with the provincial and territorial jurisdictions in Canada.

CHILD-CENTRED FAMILY JUSTICE FUND

As a key component of the Strategy, the Child-centred Family Justice Fund supported the development, implementation, delivery, monitoring and evaluation of family justice services by provincial and territorial governments. These services included mediation, parent education and a range of court-based information and community support services designed to help parents make decisions about their children's care and work out child-focused parenting arrangements. The Fund also provided support to some non-government organizations that provided public legal education and information services, or professional training services.

Principles

The selection of projects and services supported by the Fund was guided by the following principles, as identified by the Department of Justice Canada in consultation with provincial and territorial officials:

- The needs and well being of children are paramount;
- No one model of post-separation parenting is ideal for all children;
- Programs and services had to:
 - be sensitive to the fact that children and youth experience separation and divorce differently at different stages of development;
 - aim to protect children and youth from violence, conflict, abuse and economic hardship; and
 - demonstrate that they had considered whether they would have a different impact on male and female clients.
- A priority of the Strategy was to develop programs and services that would:
 - develop an integrated approach to the planning and delivery of child support, support enforcement and parenting arrangement programs and services in order to respond to the long-term service needs of children and families;
 - explore opportunities for early non-adversarial dispute resolution mechanisms;

- address the need for evaluation, project monitoring and performance measurement;
- conduct research that would advance the family law community's knowledge on priority issues, inform policy and program discussions, assist in the development or refinement of policy or programs and clarify legislation;
- inform participants in the family justice system, including families, judiciary, Bar, court staff, enforcement staff, mediators, and others, about family justice reforms;
- promote a coordinated national and/or international approach to innovative family justice services and information sharing;
- provide alternatives or modifications to the present court dispute resolution system in order to reduce cost and delays for parents; and
- be efficient and cost-effective for the justice system.

Based on these principles, the Fund supported programs and services in the following three areas:

Family Justice Initiatives (FJI): Funding for this stream accounted for over 90 percent of the funding under the Strategy. It was used to support provincial and territorial family justice programs and services aimed at helping parents deal with parenting arrangements, child support, and support enforcement (for example, parenting agreements and orders, contact orders, custody orders and access rights). The amount of money available to each jurisdiction was determined by a distribution formula established in consultation with the Federal-Provincial-Territorial Coordinating Committee of Senior Officials—Family Justice, and agreed to by federal, provincial and territorial deputy ministers of justice. The transfer of funds was accomplished through contribution agreements negotiated with each province and territory.

Pilot Projects: Funding for this stream was \$500,000 per year. It was available to the provinces and territories to develop and pilot innovative family justice services that could potentially be incorporated into long-term services.

Public Legal Education and Information (PLEI) and Professional Training: The remaining \$500,000 per year of the Fund was made available to non-governmental organizations, by way of grants or contributions, to undertake projects that would inform

Canadians, including the legal community, about parenting arrangements, child support guidelines and support enforcement measures. Proposals for funding of such projects had to be supported by the appropriate provincial or territorial government.

Funding for the Pilot Projects and the Public Legal Education and Information and Professional Training components was virtually eliminated in the first year of the Strategy as a result of a government-wide reallocation exercise. However, the funding was reinstated in 2004-2005 and the total amount was used for the intended purposes.

Primary Areas of Activity

All activities and projects proposed by the jurisdictions had to fall within at least one of the following seven primary areas of activity (PAAs), which were developed in consultation with the provinces and territories:

PAA #1: the **coordination** of family justice activities such as parenting arrangements, child support, and support enforcement.

PAA #2: the development, delivery, enhancement and expansion of **innovative child-centred family justice activities and services**.

PAA #3: the development, delivery and enhancement of dispute resolution mechanisms to determine, vary or recalculate the amount of child support.

PAA #4: the development, enhancement, and delivery of **innovative support enforcement activities**.

PAA #5: provincial/territorial efforts as they relate to the establishment, variation and recognition of **interjurisdictional support orders**.

PAA #6: **research, analysis, monitoring and evaluation** activities in family justice.

PAA #7: **public awareness** and understanding of the Child-centred Family Justice Strategy (new legislation and supporting services).

The seven PAAs were reflected in three broad family justice activities—*integration* (PAAs 1, 2, 3 and 7), *enforcement* (PAAs 4 and 5) and *research* (PAA 6).

Contribution funding was expected to:

- expand child-centred family justice services offered by provincial and territorial partners;
- increase parents' use of those services and their awareness of this new, child-centred approach to parenting arrangements;
- enable key deliverers of family justice services (lawyers, judges and social service providers), through resources and training, to better apply the CCFJS reforms in their own areas of responsibility.

These direct outcomes were expected, in turn, to:

- increase parents' understanding of the needs of their children, a child-focused approach and their own parental responsibilities; and
- help the provinces and territories provide family justice services that would better meet the needs of parents and children and encourage a more child-centred approach;

Many of the services funded under the Strategy are outlined below, beginning with those in the Family Justice Initiatives, which accounted for the highest proportion of funds. It is important to note that this is not a comprehensive list of the family justice services that existed in a province or jurisdiction. Rather, these are just some examples of the types of services that were funded. Although funding under the Child-centred Family Justice Strategy ended on March 31, 2009, many of those services may still be in effect.

FAMILY JUSTICE INITIATIVES

As noted earlier, this stream of funding supported provincial and territorial family justice programs and services aimed at helping parents deal with child-support, support-enforcement, and parenting-arrangement issues (for example, parenting agreements and orders, contact orders, custody orders and access rights). (Note: Although there was a separate stream of funding for pilot projects, some provinces and territories also used this stream of funding for pilot projects.)

Parent Education

Adjusting to changes to the family dynamic is often very stressful for children, especially in high-conflict cases. All provinces and territories used the Fund to support programs designed to educate parents about the possible consequences their actions could have on their children and about the potential harm that could come to children if their needs were not met. In most cases, these education programs were delivered as seminars in which facilitators used literature, discussion and video presentations to inform parents about services and skills that could reduce conflict in separation and divorce and improve the chances of reaching a mediated settlement. The Northwest Territories received funding to design and implement **a new parenting-after-separation program** that could be delivered efficiently in that jurisdiction, taking into consideration the geographic, demographic and linguistic diversity of the residents.

Evaluations have indicated positive outcomes resulting from the education programs. For example, responses to the Saskatchewan, Prince Edward Island and New Brunswick programs revealed that program participation reduced parental conflict, improved relationships between former partners, eased adjustment to parenting from two homes and significantly increased understanding of co-parenting issues, mediation and support services. These outcomes have demonstrated that better-informed parents are more capable of avoiding the sorts of conflicts that can harm children. Manitoba's evaluations of its parent information program confirmed similar positive outcomes, including increased satisfaction with child-support, custody and access arrangements.

While parent education programs were offered free of charge in every jurisdiction, some jurisdictions went a step further and made the program mandatory in certain cases. For example:

- Under the ***Mandatory Information Program***, offered by the Ontario Ministry of the Attorney General, all litigants involved in contested family law proceedings in Toronto's Superior Court of Justice (SCJ) had to attend a family law information session before continuing with their court proceeding.
- The Court of Queen's Bench in Alberta made attendance at a six-hour Parenting After Separation seminar mandatory for litigants with dependant children aged 16 years or younger. An additional three-hour program to supplement the regular seminar was made mandatory in all high-conflict cases where counsel or parties applied for case management.
- Nova Scotia's ***Parent Information Program*** was made mandatory in all Family Division sites whereas in Family Court, attendance remained voluntary.
- British Columbia's ***Parenting After Separation*** was made mandatory in 13 locations and voluntary in the six other locations.
- Manitoba's Family Conciliation Branch made attendance at its ***For the Sake of the Children*** program mandatory for clients accessing mediation services.
- Yukon began requiring that all parents with children under 16 years of age would have to participate in a ***For the Sake of the Children*** workshop if they were party to a divorce or they had filed an action related to custody, access or child support in the courts and they lived in a community where the program was offered.

Saskatchewan Justice used some of its funding to operate a province-wide, voluntary, parent-education program called ***Parenting After Separation and Divorce***. Based on that program's success, attendance at a parent-education session was made mandatory in Yorkton, Saskatoon, Regina, and Prince Albert. Saskatchewan Justice also continued to expand the locations where voluntary parent education sessions would be offered. These initiatives made the program accessible to more individuals.

An evaluation assessing the differences in outcomes for voluntary and mandatory clients found strong evidence to support mandatory-attendance policies. One of the most important factors supporting mandatory parent education was that the range of participants was more inclusive. Other positive markers included the high rating given by parents on exit questionnaires for the parent education programs and the finding that

high-conflict parents may have experienced the greatest change in parenting behaviours after attending the program. Considering the positive outcomes, it was found that attending such a program would be beneficial for most, if not all, parents going through a separation/divorce.

Saskatchewan also used some of its Family Justice Initiative Funding to operate the **Access Facilitation Pilot project**. As part of this project, participating parents were first required to attend a *Parenting after Separation and Divorce* information session offered by Family Justice Services, followed by a legal information session with a lawyer from the Family Law Information Centre. Parents then participated in up to four joint mediation sessions to work through access conflict and to develop a parenting plan. The Access Facilitation Pilot Project linked to, and built on services that already existed to provide a comprehensive and integrated strategy for resolving access issues.

There were other variations of the basic program. British Columbia, for example, began offering specialized programs in Cantonese, Mandarin, Punjabi and Hindi in the Greater Vancouver Area, and New Brunswick began providing a program in French, while Nunavut took steps to distribute illustrated booklets in both English and Inuktitut.

Some jurisdictions developed two streams within their programs: one for low-conflict parents and another for high-conflict parents. It was widely acknowledged that parents in high-conflict relationships required a more specialized course directed at their specific issues. Those parents were also a very important group to reach because such conflict could have a severe impact on the children. Dual-stream programs were made available in Saskatchewan, Manitoba, New Brunswick and Alberta.

Technological advances were also incorporated into the program in many provinces. For example, Manitoba developed a CD-ROM for residents in rural and northern communities. Several jurisdictions also worked to improve the content available through government websites.

Children's Education Programs

While parent-education programs were found to benefit children by reducing conflict and shifting parents' focus to the needs and experiences of children affected by separation and divorce, it was increasingly recognized that children also benefit from more direct services. To that end, some government and community-based agencies developed education and information programs for children. Those programs were designed to provide information about the legal process in a way that children could understand, as

well as information on the emotional experiences and changes in relationships that follow divorce or separation.

Two jurisdictions, Saskatchewan and Prince Edward Island used the Fund to support the creation of programs for children similar to those offered to their parents.

Prince Edward Island's program, "Parenting From Two Homes: For Kids!", was designed to be offered to children in three different age groups—6 to 8, 9 to 12 and 13 to 16 years of age—with information and discussions appropriate to the age. The aim was to give children the opportunity to learn through play, art and discussion in groups with their peers. Initially, these programs were to be offered in communities and in three elementary schools. An evaluation conducted by Prince Edward Island supported the continuation of the "Parenting From Two Homes: For Kids!" program and its expansion into additional schools. The evaluation revealed that providing the program to children at an earlier stage in the parents' separation process was more beneficial than at a later stage. Ninety percent of parents surveyed reported improvements in children's emotional health after attending the program.

Saskatchewan's program was also designed to offer information sessions to help educate children about the issues surrounding divorce. These information sessions are supplemented by a service referred to as *Hearing Children's Voices*, involving court-ordered interviews of children over 12 years of age. Considering children's opinions along with other case evidence recognizes the individuality of each situation.

Manitoba set up a children's education program called *Caught in the Middle*, which is now offered through the Family Conciliation Branch.

The Northwest Territories, produced a publication called *Dinosaurs Divorce: A Guide for Changing Families* and distributed it to parents who attended education programs.

Yukon introduced a program called *Kids in Transition*, aimed at providing children with a safe place to understand their new situation and helping them to learn coping skills.

British Columbia designed a website to give children their own tool for navigating their new situation.

Family Law Information Centers (FLICs)

Family law information centers were set up primarily to help people learn about the court process, alternative dispute resolution mechanisms and the child support guidelines, and to provide assistance to those who make court applications without the aid of a lawyer.

During the five years of the Strategy, several jurisdictions used money provided by the Fund to expand Family Law Information Centres to meet a growing demand. Centres are now operating Nova Scotia, Newfoundland and Labrador, Ontario, Alberta and Yukon. Alberta's centres, in particular, continued to see a consistent rise in inquiries from year to year.

In addition to providing information, some centres began offering specialized services that would link clients with other community or court-connected services. For example:

Newfoundland and Labrador established a ***Support Applications Social Worker Program*** to help low-income clients apply for support and to provide information about mediation.

Ontario's "Unified Family Court", began providing on-site services of an ***Information and Referral Coordinator*** to provide information about mediation services as an alternative to court; to provide specific community information and referral support; and to register members of the public for free parent-information sessions.

Lawyers in Alberta's Family Law Information Centres continued to provide important support to the judiciary, including the services of a ***Dispute Resolution Officer*** and a ***Court Generated Orders and Child Support Resolution Officer***. These officers also review documents and conduct ongoing research for the court. This has helped to streamline the proceedings before the court by insuring that basic preparations and necessary forms are all completed prior to a scheduled appearance.

Nova Scotia established two Family Law Information Centres: one in Sydney and one in Halifax. Clerks in these centres provide information (though never advice) about a wide variety of family law subjects. The focus was on unrepresented applicants, with a view to referring such clients to community agencies where applicable. In 2008, Nova Scotia also launched an on-line Family Law Information Centre to enhance the services that were already on its website and to make it easier for clients to access information and increase their knowledge of court processes. This was done primarily to help self-represented litigants to adequately represent themselves throughout the family justice process. The website content includes for example: on-line interactive forms; linkages to existing internet resources; promotion of the existing Family Law Information Centres; and information about available family law programs such as mediation, supervised access, conciliation, summary advice, and parent information.

Yukon established a Family Law Information Centre after conducting a feasibility study in 2004 and 2005, and hired a casual employee to set up a resource centre and website. Yukon also began to develop and implement a communication strategy to expand the

Family Law Information Centre's Resource Centre and its website to ensure widespread awareness of new family law services and information available to the public.

Mediation, Dispute Resolution, and Conciliation

Mediation and other alternatives to formal litigation for resolving issues between parents who separate or divorce are important features of Canada's evolving family law system. All provincial and territorial governments have either implemented or are planning to implement programs and procedures to ensure that parents can access the type of dispute resolution service most appropriate to their needs and circumstances. Following are some examples of activities that were supported by the Strategy's Child-centered Family Justice Fund from April 2003 to March 31, 2009.

Quebec has offered an extensive mediation program for several years, and this was continued under the Strategy. The Fund helped Quebec to promote this program through an information session that was mandatory for most clients. Sessions for separating or divorcing couples could be for a group, or they could be private, and could be followed by up to five additional mediation sessions of over an hour each at no charge to clients. A 2001 evaluation of the mediation program indicated that it was favourably viewed by all parties. Judging from the number of agreements signed by participating parties, it was determined that the program's success rate has been 75 percent or more.

The *Inuusirmut Aqqusiuqtiit* program that Nunavut undertook to develop was innovative because it combined mainstream mediation techniques used in other jurisdictions with traditional Inuit approaches to problem solving. The goal was to enable the program to deliver culturally relevant dispute-resolution services to Inuit people. The program was designed to increase access to family justice services in the territory. A key focus of the Nunavut Department of Justice was to expand services to additional communities and to develop a violence-screening protocol, which was an element deemed key to the program's success. By providing community-based family law information as well as dispute resolution services, the program will parties to settle custody, access, support and other family matters arising from relationship breakdowns.

The Northwest Territories developed a new program model that would provide mediation services in person to divorcing and separating parents in various urban communities, and by teleconference to those living outside of the major city centres. The model was built on the successes of a previous pilot program, with minor adjustments to the method of delivery.

Manitoba developed a ***Co-Mediation Program*** that has provided parents with a cost-effective alternative to going to court and with assistance in reducing the levels of conflict between parents. Comprehensive co-mediation involves a consideration of all the issues that commonly arise from separation and divorce including, for example, parental responsibilities, time sharing, child support, spousal support and division of marital property. A family law specialist/lawyer and a family relations specialist/social worker work together with the family to help resolve these complex issues without the combativeness of court proceedings. Ninety-two percent of the mediated cases have reported reaching a full or partial agreement. The majority of these (73 percent) reported full agreements. Manitoba has supplemented this program with a short-term ***Consultation Services Pilot Project*** designed to help parents deal with issues such as access problems, post-separation communication, scheduling issues and other.

The Fund supported a variety of mediation services in Ontario. For example, a ***Dispute Resolution Officer*** service was offered in the Superior Court of Justice in Toronto on a pilot-program basis. This service was provided by senior lawyers and involved the screening of family law variation cases with the goal of resolving cases without the need for a judicial hearing. The Dispute Resolution Officer program registered a 63-percent success rate, thus keeping a substantial number of cases from appearing before a judge.

A ***Mediation Roster*** was developed as part of the *Mandatory Information Program* in the Superior Court of Justice in Toronto. The aim was to provide clients attending the information sessions with a list of private mediators they could contact if they wished to pursue mediation.

Voluntary family mediation services were made available at all 17 Unified Family Court locations in Ontario. Clients were encouraged to make use of these services, as well as other alternatives to the court process, to resolve custody, access, support, property and other issues arising from family breakdown. Services are now available to all clients, including those who have not filed a court application. On-site mediation services handle narrow issues for parties on that day's court list at no charge. Off-site mediation services handle more complex issues and charge a user fee.

Prince Edward Island, by comparison, offered up to eight sessions or 12 hours of mediation services without charge province-wide.

Alberta established a ***Dispute Resolution Officer*** service based in Calgary. The service is provided by a senior family lawyer with similar responsibilities to those of Ontario's Dispute Resolution Officer described above. Alberta also established a ***Child Support***

Resolution Officer service in Edmonton to help deal with self-represented applicants involved in child-support disputes.

New Brunswick, operated a **Child Support Variation Service** in one judicial district as a pilot program. It was a mandatory conciliation service in all cases where a motions to vary a child support order had been filed with the Court.

Nova Scotia employed a **Conciliator** as a high-level intake person to assist in negotiations between the parties—for example, by making appropriate referrals to the variety of services available to resolve family law disputes, by screening for violence and abuse issues that could affected the appropriateness of certain referrals and by assessing the risk of bringing the parties together to discuss their issues.

British Columbia and Newfoundland and Labrador conducted mediation services as part of their large multi-service programs, namely, the Family Justice Registry Program (**Rule 5**) and **Family Justice Service Western**, respectively. British Columbia also introduced a **Family Justice Registry** that was designed to triage all cases before family court and refer some to mediation.

Maintenance Enforcement

Maintenance Enforcement Programs (MEPs) are operated in all jurisdictions with the aim of ensuring compliance with family support obligations, including orders to support a child, a spouse or a common-law partner. These programs also attempt to ensure that support money flows to those who need it. Some provinces and territories used money from the Fund to embark on initiatives that would maintain, expand and improve their MEP. Others used funding to assist with issues relating to the establishment, variation and enforcement of inter-jurisdictional support. Activities in this area generally focused on the enhancement or extension of maintenance enforcement services in the jurisdictions.

Examples of particular MEP enhancements that were federally supported through the Fund included the establishment of a **Section 7 Enforcement Officer** position in **Prince Edward Island**. This province's Maintenance Enforcement Program had been receiving many orders and agreements containing clauses that were ambiguous and/or unenforceable. These clauses generally pertained to an order for one party to pay 40 percent of the expenses under section 7 of the Federal Child Support Guidelines, but what constituted a section 7 expense was not specified. This resulted in either one of the parties or the MEP having to take the matter back before the Court for direction. Often, orders and agreements also did not indicate when the obligation to pay a section 7

expense would terminate. An Enforcement Officer was hired to deal specifically with these cases.

Prince Edward Island also hired an Intake Enforcement Officer to divert calls from the Enforcement Officers and deal with basic inquiries, This significantly streamlined calls through the office, reduced the time to respond to client calls, and increased the number of clients accessing an enforcement officer for the purpose of enforcement.

Some activities that the Fund supported in **Nova Scotia** include: investigations conducted by a **Field Officer** with respect to payers who had never paid child support as ordered, or who were delinquent with payments and/or for whom the MEP could not find employment information; the operation of an information line to keep clients informed about MEP activities of the MEP; and the development of a new client access website that would increase both efficiency and client service. Enabling payers to transfer support payments electronically to the MEP will significantly decrease the wait times for release of payments to recipients and reduce risk of non-sufficient funds or lost cheques. The client access website will enable support recipients and payers to access portions of their file electronically. It will also enable reciprocating jurisdictions within Canada to have direct access to specific file information that they require for enforcement purposes. The technological enhancements that were developed will also enable the system to produce reports and ensure data reliability and replication.

Ontario used the Fund to establish the **Trace and Locate Unit** within the provincial Family Responsibility Office. This Unit conducts intensive trace and locate actions on returned mail. On average, the Family Resource Office receives 2,500 pieces of returned mail per month. Prior to the establishment of the Trace and Locate Unit, this mail would accumulate and no action would be taken. The new unit has been extremely successful and has exceeded its targets by tracing and locating not only recently returned mail, but also mail that was returned in the past. As of June 2005, almost 20,000 pieces of returned mail had been traced and located as a result of this work, and addresses on almost 53 percent of all returned mail has now been updated in the Family Responsibility Office's system. This has given enforcement officers the opportunity to take enforcement action on these cases.

Manitoba's Maintenance Enforcement Program used the Fund to set up a **Compliance Unit** in 2002-2003, in order to establish consistent, aggressive enforcement practices for problem cases. The Maintenance Enforcement Program also consolidated the handling of preparations for all cases involving court default hearings. As a result, the Compliance Unit has gained fuller compliance with some of the most difficult files.

Nunavut used the Fund to operate a Financial Examinations Pilot Project. The objective of the project was to meet with debtors and try to reach payment arrangements on their arrears before settling the matter with the courts. The pilot project was tested in Iqaluit in the 2008-2009 fiscal year. If the test results show that the project was successful, Nunavut plans to establish financial examinations in the communities where the Maintenance Enforcement Program accounts have the largest amounts of outstanding child support debts.

Nunavut also used the Fund to hire a consultant to carry out community consultations before the drafting of the *Maintenance Orders Enforcement Act* was finalized. Further consultations were to be conducted once the draft legislation was finalized to ensure the legislation meets the needs of the public. Draft legislation will be considered by Cabinet during the next Government's term of office.

Alberta introduced a *Debtor Default Penalty Initiative* to increase payment through new deterrents such as penalties, interest charges and fees for those who failed to meet their support obligations. Alberta also expanded its Maintenance Enforcement Program's Special Investigations and Financial Examinations Unit to Southern Alberta; expanded the Unit's operations to include field investigations such as physical surveillance of defaulting debtors; and conducted extensive research.

Saskatchewan hired a new officer to access Registered Retirement Savings Plan accounts, search property titles and locate other assets that could be used to enforce payments.

Several jurisdictions made efforts to communicate better with support payers. Several jurisdictions also used the Fund to improve their MEP's technological capacity to make the client's experience easier and to make the system more user friendly and more efficient. These technological improvements included automated bank services; individual Personal Identification Numbers (PINs) to access account information; automated voice information lines and information management systems. For example, New Brunswick redesigned its **Interactive Voice Response** to integrate with its new MEP computer system functionality. New Brunswick also undertook to design pamphlets to explain new Program capabilities pertaining to payment orders and how to make payment on-line.

Inter-jurisdictional Support Orders

All the provinces and territories enacted and implemented new inter-jurisdictional support order legislation. This legislation enables a province or territory to recognize, vary and enforce support obligations from other jurisdictions with which it has reciprocal arrangements. All Canadian provinces and territories have established reciprocal arrangements with each other as well as with some foreign countries. The legislation is somewhat different in each province and territory because of the unique needs of each jurisdiction, but the substance is similar.

The new ISO model is much less cumbersome than the former model used for the reciprocal enforcement of maintenance and support orders. The former model had two-stage and involved provisional and confirmation hearing procedures. The new model uses a more streamlined application process to establish or vary a support order. In the application process, a series of situation-specific forms is completed and sent to the jurisdiction where the respondent resides. The court in the respondent's jurisdiction will then conduct a hearing and make the order.

It is anticipated that these changes will improve the timeliness in obtaining and varying family support, and recognizing support orders. This, in turn, will lead to a quicker flow of support payments and faster enforcement if necessary. As part of the implementation process of these laws across Canada, each province and territory established a designated authority for the purposes of transmitting and receiving ISO applications. The Fund helps support legislative and policy development in the jurisdictions around ISO legislative enactments and subsequent implementation.

After proclaiming the new inter-jurisdictional support orders legislation, several provinces continued to enter into reciprocal agreements with additional jurisdictions to respect the legislation. In October 2005, Quebec hosted the conference of the *National Child Support Enforcement Association*. This was the first time the conference had been held outside the United States. It provided a venue for discussing international issues, common points of law and enforcement. There was a focus on best practices and obstacles. Other jurisdictions hired or assigned an individual to monitor these cases. Nova Scotia, for example, started a *Reciprocal Enforcement of Maintenance Orders* unit to deal with inter-jurisdictional support order cases

Support Variation and Administrative Recalculation of Child Support

The amount of child support is set by agreements and court orders. This amount can be varied as the personal and financial circumstances of separated and divorced parents and their children change. The procedure to vary an order has long paralleled the cumbersome procedure used to determine the original arrangements—an application must be filed with the court and a judge makes a new order varying the current order.

Some jurisdictions undertook to develop administrative recalculation services that would recalculate child support payments on a regular basis, based on the parents' updated income information. Section 25.1 of the *Divorce Act* allows the federal Minister of Justice to enter into an agreement with a province or territory, authorizing a designated child support service “to recalculate, at regular intervals, in accordance with the applicable guidelines, the amount of the child support order on the basis of updated income information” in the case of orders under the *Divorce Act*. The recalculated child support amount comes into effect 31 days after the parties are notified of their recalculation amount, unless one of the parents makes an application to have the matter reviewed by the court in the interim. Comparable provisions in provincial and territorial legislation allow recalculation of support orders issued under those acts.

Newfoundland and Labrador, Manitoba, Prince Edward Island, Nova Scotia, and Nunavut established administrative recalculation services for orders under the *Divorce Act* and provincial child support legislation. In 2007-2008, Nunavut purchased ChildView Software to assist in determining amounts of child support payments. It was installed on all computers in the Maintenance Enforcement Program Office as well as in the public computer located in the Law Library.

British Columbia conducted a pilot recalculation program, while other jurisdictions also took steps to develop or implement such services. In Alberta, research regarding administrative recalculation of child support was conducted over the last fiscal year. This research led to the approval of a new justice service that would annually recalculate eligible court-ordered child support amounts based on changes in the payer's income. The Child Support Recalculation Program is expected to begin providing services in spring 2009.

Ontario's Family Responsibility Office implemented an Administrative Recalculation Service that will recalculate support orders annually, in accordance with the Child Support Guidelines, using updated income information provided by the payer. This new service has removed the need for intervention by the courts.

Service Combinations

Newfoundland and Labrador's *Family Justice Services Western* in Corner Brook, was expanded province-wide in fiscal year 2008-2009 out of Corner Brook. This service aims to provide separating parents with an alternative to the court system. It was the first alternative program offered in the western region of Newfoundland and Labrador. Other services provided by FJSWestern included information sessions for adults on family law and parenting issues; mediation on custody, access, child support and spousal support; counselling for adults and children on separation issues; workshops on communication skills and conflict resolution; support groups for children dealing with separation/divorce; and automatic recalculation of child support. The services were provided by two social workers, two mediator/lawyers, an assessment worker/counsellor and a recalculation clerk. Services operated out of a community mental health clinic, offering the opportunity for short-term crisis counselling. This option made the program particularly innovative. Participation was voluntary, unless ordered by the Court, and the services were free to the public.

The Family Justice Registry Program (*Rule 5 Project*) required all parties to a family court application in four locations in British Columbia to attend a "triage" session with a "triage" Family Justice Counsellor prior to a first appearance in family court. The range of services that constituted the program included a triage assessment, *Parenting After Separation* courses, family mediation services, limited legal advice, services of a Child Support Officer, enforcement outreach, family case conferences, trial preparation and hearing and judicial adjudication.

Alberta also put a new emphasis on "one-stop shopping" for litigants in the family justice system. The Calgary Courts Centre created a centralized clerk's office for all matters before the family court. Both mediation and Family Law Information Centre services were located on-site, allowing for an ease of access and referral that provided a simplified experience for clients.

Family Law Information and Awareness

Most jurisdictions provide information on family justice services and family law to the public by means of brochures, family law guides, self-help kits, advertisements, handbooks and websites. One of the most innovative initiatives that the Fund supported was British Columbia's website for children and teenagers (www.familieschange.ca). This website has received international recognition. It provides children and youth with practical, emotional and legal information on separation and divorce, to better enable

them to prepare for and cope with family conflict and changes. The medium used to convey this information is one that children and youth feel comfortable with. British Columbia has continued to assess the interest of other jurisdictions in establishing similar sites specific to their needs and to distribute materials promoting the website.

Other initiatives that the Fund supported in British Columbia was the translation of the text for *Kids and Teens* into Chinese, and the development of a promotional campaign to increase the French community's awareness of the French version of the website.

Nunavut also received money for the design, development and implementation of a user-friendly website that would provide information on all family-related programs available in Nunavut, as well as maintenance enforcement forms, pamphlets and other resource materials. Funding was also provided to translate these materials into all four of Nunavut's official languages.

Manitoba used the Fund to produce and update a public information booklet called *Family Law in Manitoba* in both official languages. This booklet has proven to be an invaluable resource to litigants. It contains an overview of family law and the legal system in Manitoba, with the intent of providing a basic understanding of family law and an extensive list of family justice contacts. In addition to being distributed in Manitoba, this booklet has been made available on-line at:

www.gov.mb.ca/justice/family/englishbooklet/index.html (English)

www.gov.mb.ca/justice/family/law/index.fr.html (French)

Manitoba also undertook to modify its parent education script and handout material, and to combine the content for the Part B, low- and high-conflict options, into one program; it. In addition, they co-ordinated a workshop in Fredericton for parent-education facilitators; and held orientation sessions for new facilitators if necessary.

New-Brunswick gave public information sessions on the Parent Education Program and on the Child Support Variation Service program (CSVS) at the annual Canadian Bar Association meeting.

The Northwest Territories conducted some outreach by demonstrating the Parent Education Program workshop to social workers and other front-line family law workers. The intention was to give those individuals a better understanding of the program so that they, in turn, could better educate and inform the public about the availability of this service.

The Northwest Territories also produced the final two (in a series of six) brochures designed to inform individuals about legal concepts and court procedures in the area of

family law, as well as a series of self-help kits that were designed to enable individuals to navigate themselves through particular court processes, such as obtaining a divorce order. The shortage of lawyers in the Northwest Territories has prevented individuals from obtaining timely court remedies in the area of family law. The self-help kits were not designed to serve as a substitute for professional legal advice. However, it is expected that they will help individuals to obtain certain legal remedies in a more timely and less expensive manner.

Toll-free lines

New Brunswick, Ontario, Saskatchewan, Manitoba, British Columbia and Yukon have supplemented their Family Law Information Centre services with toll-free lines to respond to enquiries regarding child support guidelines. They also provide basic information to callers about a wide range of family justice topics and about the variety of services available from the provincial government.

Other Activities of Interest

Many provinces and territories also used federal funding to engage in activities that did not fit nicely into any of the above categories but that were guided by the same principles.

Nova Scotia established the *Intake Assistant* position to help implement and promote the child support guidelines and custody and access services. In an effort to enhance the information and public support services offered by the province, Intake Assistants provide information to the public on child support, custody and access issues and act as the entry point to the Family Division. They also coordinate a triage type of service delivery by making appropriate referrals to parent-information, conciliation or mediation services, by screening for potential violence, and by identifying services that could assist clients, such as legal aid, income assistance and transition houses. In addition, they help to determine client issues and frame court applications; outlining, they outline disclosure requirements, and they open court and computer files for new cases.

Nova Scotia hired a *Program Officer* to monitor and develop new family justice initiatives. Most jurisdictions employed someone in a similar position, most commonly with the title Project Co-ordinator. These individuals oversaw the activities and projects undertaken under the Fund, collected statistics, prepared proposals and reports as required by the Department of Justice, and supported the front-line workers who implemented the activities and programs. They also oversaw how the province or

territory used the money they received from the Fund and concentrated on improving services wherever possible.

Ontario expanded the application of its *Family Law Rules*, which are specialized rules of procedure for family law cases. Since 1999, these rules have applied to family law cases in the Family Court of the Superior Court of Justice and the Ontario Court of Justice. Effective July 1, 2004, the application of the *Rules* was expanded to the Superior Court of Justice, resulting in a single set of court rules for all family trial courts.

The *Rules* incorporate a system of case management, a key feature of which includes a duty to manage cases expeditiously and fairly. The *Rules* emphasize the early resolution of cases, achieved in part through the use of conferences, including a mandatory case conference in every contested case. Cases with divorce or property claims, and all cases in the Superior Court of Justice (non-Family Court branch), are assigned to a standard track whereby cases do not come to court until one of the parties seeks a motion or a case conference. All other non-child protection cases are assigned to a fast track whereby cases are assigned a first court date when the application is filed. In these cases, on or before the first court date, court staff confirm that all necessary documents have been served and filed, and refer parties to sources of information about the court process, alternatives to court, and community resources. Standard and fast-track cases must be listed for trial within 200 days or parties must arrange a case conference with a judge to plan the next steps of the case. Child protection cases follow a more detailed timeline for each step in the case with a goal of 120 days to hearing.

In Ontario, the Family Responsibility Officer (FRO) undertook a Document Processing Business Improvement Project to help streamline the paper work. The FRO scans an average of 50,000 documents each month and this number continues to grow. The project involved reviewing the scanning process and looking at implementing auto-scan fax machines to enable a fast and efficient delivery of documents directly to the case owners. This would reduce the wait time for documents.

Starting in October 2001, Manitoba operated a ***Brief Consultation Service Pilot Project***. As part of the Court of Queen's Bench Family Division Case Management process, the Brief Consultation Service provided families, their lawyers and the court, with brief, timely consultation services regarding children's developmental issues; post-separation parenting; post-separation communication options; counselling needs; information sharing with children related to separation/divorce; scheduling issues and access options; and information/screening regarding other relevant services. The service also consulted with older children aged 11 to 16 to assess their wishes and concerns.

New Brunswick established a program called the ***Court-Ordered Evaluations Support Program***, which provides financial assistance to qualified individuals who have been ordered by the court to have a third party ***custody assessment***. Parties may apply individually to the Court Services Division to have help with the costs of their court-ordered evaluation. Eligible parties are still responsible for finding an appropriate evaluator, who is expected to inform court decisions about child-custody arrangements. They are issued a letter of acceptance detailing their coverage, and provided with instructions to ensure that their chosen evaluator knows how the costs are to be paid and how the billing should be distributed accordingly. The level of assistance is determined through the use of a sliding scale based on incomes. Caps are set on evaluators' hourly rates and the number of hours. Costs in excess of the coverage are the responsibility of each individual party. This program optimizes the use of available funding to help the maximum number of parents at the lowest possible administrative expense.

New-Brunswick also redesigned its Interactive Voice Response to integrate with the new Maintenance Enforcement Program computer system functionality.

Manitoba implemented an ***Automated Family Court Order Project***, or “auto order” computer process, to eliminate traditional delays by enabling family court orders to be produced immediately after a court hearing. The new system was first implemented in the Court of Queen's Bench Master's Maintenance Enforcement Court at the end of 2007-2008. The next phase involved releasing it to the remaining general Family Division courtrooms in Winnipeg and to external legal professionals in 2008-2009. The project has standardized the wording of family court orders and has trained court and Family Law Branch staff to enable an auto-order courtroom to operate for the Court of Queen's Bench Master's Maintenance Enforcement Court. Using the auto-order computer system, the Family Law Branch creates a draft order using the auto-order computer system and submits it electronically into the Court Registry System. In the courtroom the clerk edits the draft order (reviewed by counsel) to reflect the Master's ruling, electronically files the edited version in the Court Registry System and distributes it to all parties before anyone leaves the courtroom.

Similarly, Alberta introduced a ***Court Generated Orders (CGO)*** program that was designed to eliminate delays in drafting and filing orders. Its specific aim is to help those who are self-represented or who are seeking restraining orders. The program was started in Edmonton and expanded to Calgary as a result to its initial success.

Research, Evaluation and Data Collection

Research and evaluation activities were carried out at the federal, and provincial/territorial levels. The Research Sub-committee of the Federal-Provincial-Territorial Coordinating Committee of Senior Officials—Family Justice had, representatives from every jurisdiction. This sub-committee regularly provided updates of activities in the various jurisdictions, and discussed research projects and results.

The Fund supported various provincial and territorial activities that were undertaken to address priorities of the jurisdictions and to meet the need to obtain research and evaluation evidence in order to fulfill accountability objectives. The objectives of this funding were to:

- improve the understanding of the short- and long-term impacts of the different family justice services on families and on the family justice system;
- develop and support research capacity building within jurisdictions to inform policy and program development;
- advance the knowledge of the state of Canadian families when parents separate;
- support the federal/provincial/territorial need for performance information; and
- implement procedures and instruments that would collect performance measurement information for the Strategy's Results-based Accountability Framework (RMAF) in a more efficient and timely fashion.

Jurisdictions were obliged to spend a minimum amount of their allocation on research and evaluation activities but they had discretion with respect to what and how research and evaluation projects were carried out. The average amount over the life of the strategy was considered, rather than what was spent in each year. This meant that major research undertakings which sought to take a longitudinal perspective could be spread across a number of years. It also enabled jurisdictions to concentrate on smaller “one-off” projects every year, or to have several in one year. Collaborating with other provinces/territories and/or with the federal Research Unit on research and evaluation activities was strongly encouraged and this led to several productive partnerships. The Sub-committee facilitated collaboration and shared project-planning and research results during their monthly discussions.

In addition to the research and evaluation activities referred to previously, activities undertaken by the provinces and territories included:

Evaluations: Several provinces and territories evaluated programs or services that they offered to the public. For example, like several other jurisdictions, Nova Scotia and Yukon evaluated projects related to their ***maintenance enforcement programs*** and to the recent implementation of *Inter-jurisdictional Support Order* legislation. Those evaluations sought to assess how successful the maintenance enforcement programs were in terms of getting money to those who needed it quickly, regardless of where the parties lived.

New Brunswick evaluated its ***Child Support Variation Service*** to determine the effectiveness of this pilot program and to identify what, if any, modifications should be made.

Manitoba evaluated the Court of Queen's Bench ***Family Division Case Management Program*** in Winnipeg to determine the level of success in expanding the case management of eligible new family law matters from 20 percent to 100 percent and to assess the effectiveness of court processes and procedures. Manitoba also conducted an evaluation of its new recalculation service, to determine whether the service was working efficiently and meeting its objectives.

Prince Edward Island evaluated its parent education program, *Positive Parenting From Two Homes*, as well as the children's program, *Positive Parenting From Two Homes: "For Kids!"*, to determine the effectiveness of the programs and to identify what, if any, modifications should be made.

British Columbia evaluated its Children in Mediation project, which was designed to give children a voice in the dispute-resolution process by involving them, on a carefully selected basis, in discussions with family justice counsellors.

Newfoundland and Labrador participated in a research project conducted by the Research Division of the Department of Justice Canada, concerning the impact of recalculation of child support on the rate of compliance with child support obligations.

Feasibility studies: These studies were conducted by jurisdictions to assess the potential usefulness of a variety of approaches that ranged from full programs to changes in established processes. For example, Prince Edward Island conducted feasibility studies on a case-tracking computer system for the Administrative Recalculation Office and on an automated bank reconciliation system for the Maintenance Enforcement Program.

Yukon explored the feasibility of providing a supervised access service for children whose parents had divorced or separated. They also conducted a study to examine the

feasibility of creating a Child Support Recalculation Service that would meet the needs of Yukon residents. A contractor was engaged to prepare a feasibility analysis.

Nunavut completed a study on the feasibility of a voice-automated telephone system that would allow clients to get information from a toll-free number anytime they wanted, rather than having to wait for business hours and an available customer service representative.

Alberta researched the feasibility of establishing a Child Support Advance Fund to provide a limited monthly advance of maintenance to families who are in need. This fund would allow families to budget and address housing and food costs, as well as costs relating to education and child care.

The Northwest Territories conducted a feasibility study to assess the operational costs associated with creating and maintaining a database, as well as human resource costs associated with training employees and/or creating new employment positions. The survey collected data on the amounts of child and spousal support awarded, the income level of parents, the age and living arrangements of the children, special expenses and other characteristics of the orders.

Ontario's Ministry of the Attorney General used a web-based index to maintain a list of people with a family-court restraining order against them. The index leveraged the police extranet to provide police access and was piloted in 1-2 court sites to assess effectiveness. This index has provided police with an investigative tool to ensure that family law restraining orders are enforceable. It will also perform a monitoring and research-analysis function as the Court Services Division of the Ministry moves towards implementation of its long-term information technology strategy.

Client Surveys: This type of research gave service providers a sense of how the services they offered were being received and perceived by those groups being served. For example, British Columbia, Yukon, Alberta and Ontario, Nunavut and Prince Edward Island conducted surveys of payers and recipients enrolled in their respective maintenance enforcement programs. Saskatchewan conducted a survey of those who had used the facilitated Support Variation Service, and those who had used the information and resource centre. This survey collected information about client satisfaction, whether clients' knowledge of the family court system had improved and whether clients were able to keep current with their maintenance obligations.

Ontario used client surveys to obtain feedback on the court-connected mediation and information services in various Family Court locations.

Alberta used participants' surveys to obtain feedback on the Parenting After Separation (PAS) courses.

Nunavut initiated a survey to determine clients' satisfaction with its programs, to seek ways to improve implementation in the vast North, and to identify methods of working with the communities to ensure court-ordered child support is paid. The survey was mailed out and was followed up by a telephone survey of those who had not responded to the mailed survey.

Prince Edward Island hired a university student to work on a Maintenance Enforcement Program Client Satisfaction Survey Project. The objective of the project was to provide the best service delivery to clients by obtaining feedback on clients' needs and on the strengths and weaknesses of the program.

Building knowledge: The *Survey of Selected Family Courts* is an ongoing collaborative research endeavour that collects information on divorce and separation cases, including details about support amounts, and custody and access outcomes. Information from jurisdictions is imperative in building research capacity to monitor case characteristics, system processing and the impacts on parents and children. This is another activity that was often funded by the Child-centred Family Justice Fund as part of the Strategy.

The Fund also supported the Court File Review, which was a multi-site study involving the review of file contents to determine how parents and families move through the family justice system. Northwest Territories, Yukon, Alberta, Manitoba, New Brunswick, Nova Scotia, Saskatchewan and Ontario participated in the project. A total of eight sites were visited, and two waves of data were collected in three sites. Data collected from this initiative was used to identify potential impacts of the Strategy.

The Courts Statistics Program of the Canadian Centre for Justice Statistics in Statistics Canada has been building a national family law resource by developing and implementing a new Civil Courts Survey (CCS). This survey will eventually be able to report on the caseload of family law cases in the civil court sphere. The Courts Statistics Program is also continuing to collect data for the Maintenance Enforcement Survey (MES) on enforcement activities in Canada, while at the same time, implementing an improved survey entitled the Survey of Maintenance Enforcement Programs. At the national level, data on family court cases and outcomes will improve knowledge of custody and access arrangements, child support awards, and family court processes and outcomes, including implications for children involved. Data on national Maintenance Enforcement Programs provide information on the extent to which families benefit from these programs, as well as compliance with support orders. Several provinces and

territories improved their automated information systems so that they could provide Statistics Canada with survey data from their jurisdiction.

In 2004, Saskatchewan began undertook to consult with Aboriginal organizations and communities to determine what family law services Aboriginal communities require, and whether existing family law and related programs and services have met those needs. Further consultations were conducted in 2005-2006 with the assistance of the Saskatchewan Aboriginal Women's Circle Corporation (SAWCC). Provincial consultations regarding access to family justice continued in 2006-2007, and included participation of members of SAWCC. The goal of these consultations was to ensure that Aboriginal families would be able to access useful, supportive and culturally appropriate services and information.

The Quebec Justice Department initiated a study to obtain a profile of ex-spouses who had been awarded support by the Quebec Superior Court. This information will allow a comparison between the amounts awarded by the court and the amounts that would have been awarded if the Spousal Support Advisory Guidelines had been applied.

Another Quebec study examined family justice in Aboriginal communities in order to analyze the communities' needs. This study was conducted as a result of several requests from Aboriginal representatives.

The Ministry of Attorney General in British Columbia conducted a longitudinal study on the medium-term impacts of dispute resolution services. The literature review and research design were completed in 2003. The research design called for a series of three in-depth interviews with clients who had received dispute resolution services. These interviews were to be conducted at one-year intervals. The focus of the research went beyond process and administrative elements of service delivery, and set the stage for longer-term research projects aimed at measuring program and service outcomes. The final report has been completed in spring of 2008.

Results-based Management and Accountability Framework) and performance reporting: An important component of the Strategy was the results-based management and accountability framework (RMAF), which set out the Strategy's goals and objectives as well as performance indicators for measuring success in meeting them. The development of RMAF could not have been done without the cooperation of the jurisdictional partners. All jurisdictions developed frameworks that were tailored to their cases, programs, services and clients.

Logic models, performance-measurement strategies and evaluation strategies were the tools used by jurisdictions to measure their success based on performance indicators. This information was then provided to the Department of Justice Canada to better enable the Department to measure the outcomes and effectiveness of the Strategy as a whole and to ensure that it was achieving results for Canadians.

When the intended legislative reforms died on the Order Paper and it was unlikely that they would be re-introduced during the Strategy, the Family, Children and Youth Section of the Department of Justice Canada adjusted and expanded its activities in an effort to continue to support the achievement of the Strategy's objectives. The originally defined goals of the Strategy remained intact, but the pathways to those goals and the expected immediate outcomes were revised accordingly. As a result, family justice services became the cornerstone of the Strategy and the activities of the various units in place to deliver the Strategy were adjusted to support this revised focus. The changes to the focus and activities of the Strategy were reflected in a revised RMAF and logic model.

A key lesson learned in the area of performance measurement was that, to obtain adequate information from the provinces and territories, the reporting process needed to be simple, clear and as standardized as possible. Department of Justice Canada officials suggested that in any future initiative, they would be able to develop an RMAF that would have fewer, more inter-related, and clearer indicators. This would allow for streamlining the process and cutting back on required information. Efforts are currently under way to create a database that will support comprehensive analysis of on-going performance measurements and evaluations of future initiatives.

PILOT PROJECTS

A portion of the Child-centred Family Justice Fund was specifically designated for use in establishing pilot projects. Through this allotment, the jurisdictions promoted the development, implementation, and evaluation of innovative pilot projects to serve families undergoing separation or divorce. The pilot projects were designed to address the same twelve principles developed for the Family Initiatives Component. Following are some examples of pilot projects that were funded under this pillar. Some of the jurisdictions also used Family Justice Initiative funding for pilot projects.

Newfoundland and Labrador

A two-year pilot project, **Family Justice Services Central**, was conducted from 2004 and 2006. The focus of this project was on the development of an integrated approach to providing family law legal aid services that would use a variety of alternative techniques for resolving disputes, including negotiation and mediation, legal advice, general family law information, parent-education programs, counselling and referral to other social services agencies when appropriate. The project also developed a screening process to limit violence between former spouses and to protect those parties who were at higher risk of being victimized. Efforts were made through these developments to improve education and mediation procedures. This project built on lessons learned and tested project enhancements that had been identified and recommended in a review of an earlier phase of the project. The Child-centred Family Justice Fund partnered with the Department of Justice Canada's Legal Aid Pilot Project Initiative to finance this phase of the project.

The Fund financed the development and implementation of a pilot **Web Application** for the Support Enforcement Division in Corner Brook. This web application was directly linked to the new Support Enforcement Application (SEA) that was implemented in February 2004. The website allowed both recipients and payers of child support to access their files in order to obtain enforcement and payment information, leave secure messages and print statements. The site also contained useful educational information on enforcement actions, payers' and recipients' responsibilities, forms, as well as links to applicable legislation such as the Federal Child Support Guidelines. Employers were also able to access the system to leave information and calculate garnishments. Other jurisdictions were also given access to get updates on what was happening with a file. This allowed for increased self-service options and allowed provincial employees to concentrate on other aspects of support enforcement.

Prince Edward Island

In 2004-2005, the Office of the Attorney General in Prince Edward Island developed an interactive Maintenance Enforcement Program website similar to that of Newfoundland and Labrador described above. The website was designed to increase information sharing with clients of the Program and with other Maintenance Enforcement Programs across Canada. This website was supplemented by the creation of a new intake enforcement officer position in the MEP. The introduction of an intake enforcement officer significantly streamlined calls through the office, reduced the time to respond to client calls, and increased the number of clients accessing an enforcement officer for the purpose of enforcement.

Nova Scotia

The Family Division of the Supreme Court of Nova Scotia identified an increasing delay in accessing court time for families undergoing separation or divorce. Much of this delay resulted from the unification of family law services and was not substantially mitigated despite opportunities for early non-adversarial dispute resolution mechanism. In its commitment to find alternatives and expand usage of pre-trial conferences, Nova Scotia developed the concept of a ***File Readiness Court Officer*** as a form of assisted dispute resolution. The Officer, together with the parties, would review issues such as witness lists, service requirements, requisite amount of court time and any number of other issues. The idea was that parties would be more inclined to seriously consider settlement and less inclined to proceed to court until they were properly prepared.

The proposed position was staffed from October 2005 to July 31, 2006. The Officer assisted in the redesign of the operational structure of the Sydney Supreme Court and trained staff and conducted outreach for the new system. This necessitated further policy development, which will continue. The goal continues to be service delivery that would ensure that court time is used as effectively as possible and is cost effective for the justice system.

Manitoba

In July 2005, the Manitoba Department of Justice operated a ***Child Support Recalculation Service*** pilot project to support recalculations of child support where a court order or agreement already existed. This project provided a fast and inexpensive way for parents to have their child support orders updated regularly or varied in cases where the parties agreed. As part of this project, a Family Law Support Centre staffed by two lawyers and a legal assistant was created to make recalculations and recommendations under new regulatory provisions. This unit performed triage, provided information, recalculated support and assisted with documentation. Though it did not deal with overly complicated situations, the unit streamlined recalculation services.

In August 2008, Manitoba created a new alternative dispute-resolution service called “First Choice” in Winnipeg. The First Choice pilot project provided Manitoban families going through a separation or divorce with a creative approach to settling custody, access and private guardianship issues. It combined assessment, mediation, and counselling to help families move through the court system as quickly as possible. While most cases involved parents, the pilot project could also be used by others with child-related issues, including, for example, grandparents and other family members seeking access to a child. The “First Choice” also provided follow-up assistance to the families it served, to address subsequent issues/concerns.

Saskatchewan

Saskatchewan Justice used pilot-project funding to develop a comprehensive and integrated service plan for couples in high-conflict situations. As part of Saskatchewan’s family law strategy, the province offered supervised-access and supervised-exchange services to separating and divorcing couples in high-conflict situations. This service reduced the degree of harmful behaviour to which children are exposed and aimed to improve the interactions between divorcing and separating couples. In 2003-2004, the province began offering a new high-conflict parent-education session to supplement those services. This pilot project built on existing initiatives and provided a comprehensive and integrated service plan for couples in high-conflict situations. Parents who used the supervised-access services could be asked to attend the six-hour conflict session as part of their case plan. It was envisaged that the dual approach of the therapeutic supervised-access program and the high-conflict parenting program would give families an opportunity to learn positive coping methods.

While, Saskatchewan Justice’s province-wide, voluntary, parent-education program (described under Family Justice Initiatives section) has been quite successful, access to

the program has been an issue for many residents in rural or northern locations. To help resolve this problem, Saskatchewan Justice transferred its parent-education program to **CD-ROM** and made it available in northern communities and other areas where parent-education sessions were not offered. In consultation with aboriginal service providers and aboriginal bands, Saskatchewan Justice also produced a version of that CD-ROM targeted specifically at Aboriginal peoples. This modified material was designed to be applicable to all jurisdictions, keeping Saskatchewan-specific information separate from the body of the text. Feedback from providers and participants has been positive.

And finally, in 2006-2007, Saskatchewan Justice operated a two-year **Access Facilitation** pilot project. Under this project, a team of family, parenting, legal and conflict-resolution professionals offered assistance to separated and divorced parents. It was designed to target low-income families, who often have difficulty accessing mediation and legal services. The overall objectives of the project were to remove financial barriers to services; encourage non-adversarial conflict resolution to address access issues; reduce conflict levels and the length of time required to develop appropriate access arrangements; promote cooperative parenting; improve satisfaction with and the durability of access arrangements; and reduce the number of court applications relating to child access.

When this pilot program was initially designed, it was anticipated that it would be more appropriate for couples experiencing low to medium levels of conflict. However, initial experience with court-directed, high-conflict couples in this program indicated that a significant amount of progress could be made in resolving issues. Therefore, it also targeted families experiencing medium to high levels of conflict.

At first, the Access Facilitation pilot project operated in only one location, namely, the judicial centre of Saskatoon and surrounding area. However, it was expanded to the judicial centre of Prince Albert in March of 2007. Referrals to the program from other locations were accepted if the parties were prepared to travel to Saskatoon for the legal information and mediation services portions of the program. This program was offered at no cost to families meeting the program eligibility criteria.

British Columbia

The Ministry of Attorney General of British Columbia commenced a four-year pilot project to administratively recalculate child support orders on an annual basis. This recalculation was based on updated income information and was completed in accordance with the child support guidelines.

Under this project, a Recalculation Officer began work in July 2006 and completed 65 court orders by March 31, 2007. By the end of 2008-2009, approximately 200 orders and written agreements had been registered. A database was constructed to track the income and payment information used in the recalculation.

This service benefited parents by saving them the cost of varying their orders in response to income changes and by reducing conflict related to changing child support amounts. It benefited the court by reducing the need for parents to go to court for a variation. Children also benefited as a result of increased support when the support payer's income increased.

For several years, Canada participated in the development of the Hague Convention on the International Recovery of Child Support and other forms of Family Maintenance. Following a series of diplomatic sessions, a final form of the Convention was completed in November 2007. More than 60 countries participated in the discussions and several indicated a desire for early ratification. The Convention will expand the number of countries that have reciprocity with Canada's provinces and territories. Work is underway to develop a common system of business processes, including common forms and data system support, for those jurisdictions that adopt the Convention.

Officials at The Hague approached British Columbia to provide resources to develop a Practical Handbook for the Convention. In response, British Columbia started **The Hague Convention on the Recovery of Child Support—Practical Handbook Pilot Project**. The main objectives of this project were to draft an operational guide for the implementation of the Convention, undertake consultation with key experts in Canada and other member States, complete a final version of the handbook and develop training material for use in Canada. Once completed, this handbook would become the operational guide to the Convention and set out business processes for the establishment, variation and enforcement of support obligations under the Convention. It would also outline the responsibilities of the Central Authorities and caseworkers in sufficient detail to provide support and direction in the handling of international cases.

PUBLIC LEGAL EDUCATION AND INFORMATION/PROFESSIONAL TRAINING

The third component of the Fund included Public Legal Education and Information and Professional Training (PLEI and PT). The objective of this component was to enhance the knowledge of families, the judiciary, lawyers, court staff, enforcement staff, mediators, and others about family law issues concerning parenting arrangements, child support guidelines and support enforcement measures. The focus was on ensuring that target groups, were well informed about changing services and legislative reforms in family justice. Unlike funding under the Family Justice Initiative and the Pilot Project components, funding under the PLEI and PT component was only available to non-governmental organizations. The goal of this funding was to support initiatives that would enhance the knowledge of Canadians, including the legal community, about family law issues concerning parenting arrangements, child support guidelines, and support enforcement measures. Examples of funded activities are described below.

Public Legal Education and Information and Professional Training

Nova Scotia

The Legal Information Society of Nova Scotia (LISNS) received funding to carry out the following activities:

- They made a Divorce Kit accessible on their Web site as part of their ongoing efforts to enhance Canadians' knowledge of family law issues. This was supplemented by increased Web access to a wider range of information and other resources centred on family law issues.
- As part of their continuing-education efforts, LISNS held a one-day family law symposium for those who help clients resolve parenting and child-support issues. The purpose of the symposium was to help professionals, intermediaries and service providers to keep abreast of current family law issues. Topics that were discussed included, for example, changes within the Family Division; enhanced conciliation and intake triage; programs and information for parents; supervised access; mediation, and the Maintenance Enforcement Program. Also discussed were various family laws, including the *Domestic Violence Intervention Act*; the *Divorce Act*; and the *Children and Family Services Act*.

- In partnership with several other non-government and government organizations, LISNS developed a publication called “Safely on Your Way: Child Custody and Access Information for Women Leaving Abusive Relationships and Their Service Providers”. It provides legal information for women in the post-separation stage who are trying to deal with custody and access issues, focusing on information women need to keep themselves and their children safe.
- The Association des juristes d’expression française de la Nouvelle-Écosse produced materials offering pertinent information in French to children whose parents divorce or separate. The information was produced in paper format for distribution to high school guidance counsellors at the “Conseil scolaire acadien provincial (CSAP)”. It was also made available on-line. The Association also produced on-line vignettes that could be downloaded remotely by a cellular telephone. This made access to the material easier and more private for youths who wished to acquire information on family law to help them cope with the separation of divorce of their parents.

Prince Edward Island

The Community Legal Information Association (CLIA) of Prince Edward Island, Inc. undertook a “***Going to Family Court***” project, to help professionals educate their clients about parenting arrangements, child support and maintenance enforcement measures that included information sessions and other material delivery alternatives. This project was targeted at anyone thinking of going to court to resolve their family disputes. It was particularly useful to unrepresented litigants and to those who did not understand the court process. It was designed to build on work previously done in Prince Edward Island in an effort to improve access to the legal system for all Islanders. Materials developed during this project will be maintained and used in future work by CLIA.

Newfoundland and Labrador

The Public Legal Information Association of Newfoundland (PLIAN) received funds for the following projects:

- In 2004, and again in 2005, PLIAN conducted an education campaign to enhance the knowledge of Canadians, including the legal community, about family law reforms related to parenting arrangements, child support guidelines, and support enforcement measures. This campaign involved the development and execution of information sessions throughout the province. These sessions were strongly attended and provided participants with information aimed at easing the intimidation that many people feel when dealing with the courts. This, in turn, improved access to family law resources.
- In order to continue to meet the informational needs of Newfoundlanders and Labradorians, the Public Legal Information Association of Newfoundland and Labrador also developed a family law guide containing information that is relevant for all Newfoundlanders and Labradorians. This guide was made available in five languages including English, French, Inuktitut, Innueimun and Mi'kmaw. The guide was so popular that it had to be reprinted and an additional 1,500 copies were distributed. PLIAN obtained input for this guide from Aboriginal and French speaking minority communities through discussions and consultations with representatives from these groups. The consultations assisted PLIAN in defining which family law topics were of particular interest to these groups. The objectives of the project were to target hard-to-reach groups, develop information that would meet the needs of the official language minority communities, promote parental responsibilities, inform and educate other parents among the general public who were separating or divorcing and assist unrepresented litigants.

New Brunswick

The Public Legal Education and Information Service of New Brunswick (PLEIS-NB) produced an informative guide to address family law concerns and related law information questions from unmarried teen parents and young parents. The purpose of this guide was to consolidate information that individuals previously had to search out from numerous different sources. The guide presents the information in a clear, concise manner, using vignettes and examples to explain possible outcomes. It also dispels common myths about the rights and responsibilities of parents, and promotes responsible

parenting by emphasizing the entitlements of the child, and the obligations and responsibilities of the parents.

PLEIS-NB expanded on this project with the creation of dynamic one- or two-hour workshops on popular family law topics associated with the guide. A cadre of experts was mobilized to deliver the sessions and monitor outcomes. The sessions with service providers enabled those service providers to discuss some of the issues flagged in the guide, such as paternity, child support, custody and access, and to provide supplementary resources, referrals and explanations. These discussions enhanced the ability of the service providers to use the guide with their clients. The sessions with young parents and pregnant teens explored common myths about the rights and responsibilities of parents while emphasizing the entitlement of the child. They also offered greater detail on certain law information topics and provided numerous tips on finding information and getting help.

PLEIS-NB also updated and revised other family law guides, particularly those dealing with divorce and child support. Additional new family law materials were developed to ensure that accurate legal information was available and that it was clearer and more understandable to all individuals attempting to access family law legal processes. To complement their existing materials, PLEIS-NB also produced two new bilingual products related to family law, namely, Interjurisdictional Support forms and guides, to assist separating and divorcing parents. Those products were developed in consultation with the federal Department of Justice and provinces and territories.

In 2008-2009 (PLEIS-NB) undertook to revise, enhance and republish the self-help guide called "*Doing Your Own Divorce in New Brunswick*" which was in high demand in New Brunswick. The guide is available to libraries and service providers and on the PLEIS-NB Website. Having educational guides for people using the courts in family law matters helps them navigate the process and reduces the time of court clerks when they are filling papers.

The Association des juristes d'expression française du Nouveau-Brunswick received funding to produce materials required for training sessions for francophone lawyers. The sessions were intended to enhance the ability of francophone lawyers to provide French family law services such as out-of-court conflict resolution.

Manitoba

The Community Legal Education Association (CLEA) of Manitoba produced a workbook of five to six case studies, targeted to children aged 8 to 12. These case studies

were based on research and interviews with young people that were supplemented by observations from parents, social workers and after-school-care staff. Younger children were found to need help from teachers with some sections of the workbook, but it was otherwise successfully received. As there is still very little in the way of legal information written for children, CLEA intends to further address this gap by developing new materials and approaches to educate youth.

CLEA also worked with the Association des juristes d'expression française du Manitoba to publish a French guide to family law and hosted two workshops in French, one in Saint-Boniface and the other in Saint-Pierre-Jolys, entitled "La séparation et le divorce".

In collaboration with the Association internationale francophone des intervenants auprès des familles séparées (AIFI) In November 2008, the Association des juristes d'expression française de common law inc. (FAJEF) organised a national symposium on family law in French. The symposium took place in Moncton in November 2008. The first of its kind in Canada, the symposium sought to expose family law stakeholders to juridical terminology in French, and to offer them training in French about family violence and the impacts it could have on children by example. Part of the fund was also used to produce summaries of 17 court decisions related to parenting, child support guidelines and ordinance enforcement support. Those summaries were produced in French and were distributed to stakeholders and presented to the symposium in November 2008.

Alberta

The Children's Legal and Educational Resource Centre (CLERC) used funding to improve the position of children in relation to the legal system. The funding supported the creation of handbooks and question-and-answer cards directed at young people. Input from youth was incorporated in the design and content of these materials, which addressed the goal of refocusing "adult" issues in a manner that would be understandable to the young people affected by such issues.

The Association des juristes d'expression française de l'Alberta received funding in 2008 to develop and produce French-language information material on family law for francophones in the province, and to elaborate on information for people who were representing themselves. The Association also held a series of six information sessions on family law in order to inform and educate francophone parents and youths who were going through a divorce. They also developed a new Web site section on family law pertaining to separation and divorce.

Saskatchewan

The Public Legal Education Association (PLEA) of Saskatchewan used funding to research and develop a bilingual “Parenting Responsibilities” booklet for parents. The booklet provides information on case law, parental duties, parenting arrangements and recent trends, with the goal of creating family dialogue and ensuring parents are aware of their responsibilities. It also includes a pullout for children.

In a separate project, PLEA developed an electronic, intermediary training module to give individuals in the human services profession the knowledge and skills they need to help their clients find legal information to deal with their specific problems. In this sense, the module enables users to act as legal intermediaries. The legal writers, working with the Association’s Web designers, developed an electronic training module for intermediaries, based on PLEA’s *Family Law Intermediary Training Guide*. The training module is interactive, with an emphasis on the use of plain language and ease of use. An on-line evaluation form was also developed, for intermediaries to submit to PLEA once they have completed the training module.

The legal writers also developed an issue of *The PLEA* newsletter on parenting responsibilities. This information was written specifically for young people (Grades 7 to 12), and presented in a format that engaged this audience in the topic. *The PLEA Parenting Responsibilities Issue* was distributed to all schools in the province in late January/early February of 2005.

Because of changes to provincial legislation, PLEA of Saskatchewan received additional funding to revise their publications “Single Parents” and “Custody and Access”. These publications were included in the Department of Justice Family Law Kits and were distributed to intermediaries across Saskatchewan who deal with clients from hard-to-reach groups, such as Aboriginal peoples, immigrants, low-income earners, those with low literacy skills, rural and northern residents, abused parents, and young or teen parents.

In 2008, the Association des juristes d’expression française de la Saskatchewan received funding to develop a simple French-language guide and then deliver a series of information sessions targeted at immigrants, young francophones, and educators to inform them about their rights and the law.

Ontario

The Northumberland Child Development Centre (NCDC) received funding to develop a “Positive Parenting from Two Homes” program. The program was developed in response

to the need for information and support for parents who were parenting from two homes. The concept of delivering this program was initiated in Prince Edward Island. NCDC used the materials from Prince Edward Island and adapted them for Ontario residents. Nine sessions were delivered by facilitators throughout Northumberland County. The objectives of the program were to provide information for parents about mediation, legal and court processes; provide information about community and government resources; provide education about the mental and emotional aspects of divorce and separation; and encourage dispute resolution processes in order to reduce on-going conflict and lengthy litigation in custody and access cases.

The Peel Family Mediation Services made an effort to improve on the mediation services available in the province of Ontario. They attempted to reach out to diverse communities in the Peel region through a campaign of education and the translation of family law materials into a variety of different languages. This was part of an attempt to increase trust through increased exposure to family law services in the community, with the goal that increased trust, as well as translated materials, would facilitate increased access to family justice for members of minority communities. This project also allowed for research into those communities to be gathered to better service them in the future.

The Réseau de chercheuses africaines used funding to conduct a research project entitled *Les femmes francophones des communautés ethnoculturelles et droits de la famille*. Researchers conducted interviews with regional minority individuals concerning their access to the legal system and what might make them more aware of their rights and responsibilities. They also held information sessions to explain the structure and function of the justice system to groups who might not otherwise have had access to this information. In 2008, the Réseau des chercheuses africaines held a series of approximately 10 educational discussions to better inform francophones from Ontario about family justice, child support, visitation rights, etc. The goal of this research and the educational discussions was to make it possible for the organization to better overcome the obstacles that prevent francophone visible minority women from accessing services that could benefit them.

A similar research project was conducted by the *Alliances des femmes de la francophonie canadienne* into the situation of francophone women with regards to family law. This survey of 41 organizations about the services and resources available in French determined that there was a clear need for Web sites and workshops that offered information on family law. A particular need for Web sites that target young people was identified.

Dogstar Film and Video Productions produced two videotaped sessions of the 311 Open Bar Series for educational purposes both in Ontario and internationally. (The series of sessions operated under the sponsorship of the Toronto Family Lawyers' Association and The Family Court Judges of the Ontario Court of Justice in the Toronto region). The topics of the two videotaped sessions were "Enforcement of Orders" and "Spousal Support". Both sessions were videotaped at the Family Court House in Toronto on February 7, 2005 and March 7, 2005 respectively and are 72 minutes in length. The "Enforcement of Orders" session was chaired by Justice Brownstone. This session included a discussion of contempt proceedings, default hearings, costs, remedies under the rules for failure to comply with court orders, as well as garnishments and other remedies under the *Family Responsibility and Support Arrears Enforcement Act*. The "Spousal Support" session was chaired by Justice King. Recent developments in this area were discussed, including entitlement, variation (both prospective and retrospective) and quantum.

Quebec

Several Quebec agencies received funding for a variety of public legal education and information projects. For example:

- Collectif des femmes musulmanes immigrantes du Quebec received funding for a university-based research project to examine how "religious tribunals" functioned as family law arbiters, with a specific focus on the effect on Muslim women. Oral interviews were conducted, coded by keywords and a study was made of how parallel justice (religious tribunals) compared with a mediator working in concert with family court. These results can be used in future discussions about bringing non-governmental groups into the family justice system.
- Educaloï, a Quebec's public legal education and information organization ran a Family Justice Outreach Initiative with the goal of providing family law information to the Anglophone community in Quebec. Communities were consulted through questionnaires and interviews. Information gathered from that research was used to produce a pamphlet that would respond to communities' needs. Educaloï also produced an 80-page plain-language guide to family law in French under the title *Être parent, tout un contrat*.
- Another organization, Le Petit Pont, received funding for a project entitled "L'enfant au cœur de nos préoccupations" in order to develop and produce information materials to make family justice reforms better known and understood by family law service providers and others. A Web site has also been

created to inform the public and the parents about rights and services offered. Le petit Pond received funding in 2008 to realize information sessions that will be supported by the tools already produced. These sessions will be for lawyers, judges, social workers and parents that are experiencing separation or divorce and are in difficult situations.

British Columbia

The Law Courts Education Society of British Columbia (LCES) engaged in a series of projects with financial assistance from the PLEI and PT component of the Fund.

- They revised and reprinted the “Parenting after Separation Handbook” and the “Parenting is Forever Training Guide”. The revision of the “Parenting after Separation Handbook” is mainly intended for the Chinese, Punjabi and Francophone communities. These booklets were provided free of charge to Success, which manages the Chinese Language PAS Program, and to the Surrey-Delta Immigrant Services, which administers the Punjabi language program.
- On a pilot basis, their “Separated with Children—Dealing with the Finances” program organized workshops. Accompanying workbooks focused on the financial burden faced by divorcing parents and how to manage those strains. Input and feedback will be incorporated into a revised program and a Web-based version will be built.
- In order to increase the awareness and understanding of the issues specific to divorce among legal professionals who act as intermediaries in family law cases, they designed and delivered seventeen “Explore Family Law” workshops. The workshops were supplemented with print and Web resources for both professionals and the general population.
- They used the Fund to produce a video entitled “Family Law and You” in partnership with the Knowledge Network, which is the public educational broadcaster in British Columbia. They also received funding to digitize and adapt the video for their Web site. This 45-minute video provides information about how individuals may undertake legal proceedings on their own in order to minimize their legal costs. The video can also assist anyone who needs to deal with matters such as divorce, custody and access, guardianship and/or support. It draws on the expertise of a BC Supreme Court judge, a family law practitioner and a BC Supreme Court Self Help Information Centre representative. It also follows the story of a woman representing herself in BC Supreme Court.

- They developed educational resources that present information and explain Supreme Court procedures in plain language. This project targeted the growing number of people who have chosen to represent themselves in the Supreme Court. The name of the Project is “Self Representation—Equality of Access through Educational Resources”. Once again, they partnered with the Knowledge Network on this project. This project undertook a multifaceted approach with three components: a one-hour, studio-based forum to present key issues and concerns about self representation in Supreme Court on family law issues; 10 short videos between three and five minutes in length, built around two case examples to illustrate the court processes; and lastly, a series of three 30-second public service messages that drew on the footage shot for the videos. The messages focused on the materials available, how to access them and the importance of proper preparation.
- They developed a family Web-form computer program to help self-represented litigants who complete family law forms on-line. This program automatically fills in portions of the blank Web forms and includes text boxes that pop up on the screen when the client accesses the forms. It was installed on the computers in the Self-Help Centre, which opened officially in April 2005, and is situated in the provincial court in Vancouver. The project focused on the area of divorce forms, both sole and joint divorce requests. It was anticipated that these family Web forms would benefit over 400 self-represented litigants annually.
- They developed a Web-based multimedia presentation, “Preparing your Case for Chambers”. This presentation is designed to help self-represented litigants to better understand how to prepare for a family law application in Chambers and how to speak to a judge in Chambers. It assists litigants by providing guidance and assistance on determining the information that is relevant to their case and what must be included or excluded in their affidavits. The Web-based multimedia presentation replicates what a judge would say when speaking to a group of self-represented litigants about Chambers, what judges need, and how litigants should go about preparing their matter for the court. This Web-based resource is posted on the LCES Web site and linked to the Self-Help centre Web site.
- They built on the “Kids in the Middle” project that they had previously undertaken with Saskatchewan Justice. Saskatchewan Justice had adapted the “Kids in the Middle” program material provided by LCES and had transferred it to a CD format. The LCES project adapted the “Kids in the Middle” CD for inclusion on the LCES Web site. It was developed in such a format that it could also be used by Saskatchewan Justice or any other jurisdiction. Adapting “Kids in

the Middle” for the Web will make it more accessible to Aboriginal parents, especially those living in remote communities. It was promoted as part of the “Kids in the Middle” workshop program and some training resources were developed so that all LCES regional coordinators would receive training on how to promote use of the Web site.

The new and improved Web site is used as a follow-up to the Kids in the Middle program in order to reinforce the program’s messages. It can also be used independently in a variety of situations where the program is not available.

- They also received funding to organize and run a National Aboriginal Parent Education Program. Sixteen workshops were conducted across the country over the course of a year (four more than the twelve originally scheduled). These workshops targeted Aboriginal service workers. LCES produced a facilitators’ guide that included the “Kids in the Middle” materials. Through this communication and partnership with Aboriginal service organizations, the LCES provided new services and materials for individuals who could incorporate an Aboriginal perspective in education workshops with Aboriginal people and address the specifics of their situations.
- They created a tool kit that would allow Aboriginal service providers to use the numerous family law resources developed by LCES with their clients and communities. The intent of the project was to identify the differing, specific needs of aboriginal communities and then re-package these resources in such a way that aboriginal community workers could better utilize the resources that best meet those needs. A set of tools was created that could be easily accessed and used productively to meet differing client and community needs.
- They created an interactive on-line site where children whose parents separate can go for support, advice, and the comfort of knowing they are not alone. The interactive nature of the site allows children to express themselves both internally and to their parents, and to apply the things they have learned from other related sites.

As with similar organizations in other provinces, the Association des juristes d’expression française de la Colombie-Britannique provides support for francophones in British Columbia. The Association received funding for three separate projects, as follows:

- They undertook activities aimed at increasing the amount of French language resources available to public legal education and information. The intention was to provide tools to service providers in British-Columbia and to increase awareness among francophones in British-Columbia about issues related to access to justice, family violence and family law by providing information in both official languages. Activities included the editing and adaptation in French of legal information. Brochures were produced and distributed to the francophone community, and more elaborate versions were made available on the Internet.
- They developed a French DVD with a simple and clear presentation on the rights and obligations of parents towards their children, including information on support obligations, when parents divorce or separate. The DVD was aimed at specific target groups, including hard-to-reach parents going through a separation or a divorce, as well as the homeless, illiterate individuals and youths who resist written information.
- They provided information sessions to French teachers on rights and responsibilities of parents toward their children, including support obligations, when parents divorce or separate. This project placed a particular emphasis on young parents. Sessions were divided into two sections: one to train the teachers so they could inform their about issues that would be relevant to them; and one to provide teachers with information that would help them be intermediaries between parents and children experiencing a divorce or separation).

Professional Training

Alberta

The Legal Education Society of Alberta received funding for their “Child Representation Project.” The aim of the project was to develop, deliver and evaluate a three-day training program to educate legal professionals around the adequate and effective legal representation of children. Combining legal, non-legal and community interest into one deliverable model, the project was guided by the principle that the voices of children must be effectively heard in legal proceedings affecting them.

Ontario

The National Judicial Institute received funding for four distinct projects between 2003 and 2008.

- The first two of these projects saw the development of training materials for judicial education on dealing with high-conflict divorces. The project raised child-related issues in an effective child-centered fashion. The first phase of the project focused on developing an agenda, determining key issues to be included in the program and designing a widely varied set of fact situations that would accommodate a full discussion of key issues at all stages of the process of a high-conflict custody case. In the second stage of the project, scripts were drafted for fact situations and videos were produced from these scripts. The videos and accompanying materials were then used in delivering a two and a half day seminar for Judges. During the seminar, judges worked on improving their skills in dealing with high-conflict cases, managing and controlling high-conflict families, crafting effective orders and avoiding ineffective orders.
- The third project was the development of training materials for judicial education on child protection cases. An intensive seminar in the area of child welfare law was designed. An agenda, relevant materials and teaching aids (video, fact sheets) were produced in order to deliver a well designed pre-seminar workshop to prepare the faculty for their teaching roles in the program.
- The fourth project undertook the development of training materials for judicial education on self-represented litigants in the family law system. The intent of these materials was to help legal professionals know what to expect and how best to deal with Family Court clients who are not professionally represented. A guide and a documentary style video were produced and can be used to inform judges of expectations and experiences for parents representing themselves. The video material was designed to supplement the Guide to non-Adversarial Dispute Resolution for Self-Represented Litigants in Family Law.

Manitoba

The Child-centred Family Justice Fund partnered with the Justice Partnership and Innovation Fund in a project undertaken by the *Institut Joseph Dubuc*, of the Collège universitaire de Saint-Boniface to develop and deliver a new French language legal course with reference to wills and estates, divorce, child custody and share of assets and real estate transactions.

Other Projects

Two family law experts, Professors Carole Rogerson and Rollie Thompson, received funding to further the development and implementation of Spousal Support Advisory Guidelines.

- They gathered information and feedback about the Draft Proposal for Spousal Support Advisory Guidelines that they had previously prepared and that had been released in July 2008. This was pursued through group discussion sessions and continuing education activities for professionals on the support enforcement regime. From the period of December 15, 2004 to July 31, 2005, they met with lawyers and judges in most of the major centers in all provinces except Saskatchewan in order to discuss the contents of the draft proposal. The professors were successful in creating an informed understanding of the basic structure of the Guidelines. which set the process of a more intensive soliciting of feedback and responses in the next stage of the project.
- For the period from April 1, 2006 to September 30, 2007, the professors continued to provide information about the Guidelines to lawyers, judges and mediators. They received informed feedback on the operation of the proposed Guidelines and made revisions to the draft.
- They obtained funding in 2008-2009 to prepare a paper to help train judges, lawyer, and mediators to use the *Spousal Support Advisory Guidelines (SSAG)*. They also held several initial information sessions and continued to work with software providers who are among the primary conduits for information and education on the proper use of the Advisory Guidelines.

CONCLUSION

The family justice services pillar of the Strategy, implemented through the Child-centred Family Justice Fund, enjoyed a successful progression through the six years from 2003 to 2009. The activities of provincial, territorial and non-governmental organizational partners described above constituted new and expanded services that were made possible by the Fund. This funding also supported the continuation of important existing services. These services continued to be funded and developed according to the objectives and seven “Primary Areas of Activity” that were developed in collaboration with the provinces and territories. This progress has helped to make the family justice system more child-centred through the various activities targeted at parents, children, support workers and legal professionals, and has encouraged all of these individuals to put the considerations of children first.

APPENDIX I: JURISDICTIONAL BREAKDOWN OF ACTIVITIES

The following breakdown by jurisdiction highlights many of the major activities undertaken by our provincial and territorial partners through the Child-centred Family Justice Fund. While not all services offered by the jurisdictions benefit directly from funding under the Fund, as a result of receiving federal funds to contribute to certain activities and services, provincial resources are freed up to proceed with other innovative actions and activities. While this is the case for certain activities described below, all of these activities form an important part of the overall Strategy. As noted above, the services described do not constitute a comprehensive list of the family justice services that exist in a province or jurisdiction, but describe services supported by the Fund.

Newfoundland and Labrador

- *Family Justice Services Western* (FJSWestern) gives separating parents an alternative to the court system for the first time ever in the western region of Newfoundland and Labrador, and will expand province-wide during the fiscal year 2008-2009. Services include information sessions for adults on family law and parenting issues; mediation on custody, access, child support and spousal support; counselling for adults and children on separation issues; workshops on communication skills and conflict resolution; support group for children dealing with separation/divorce; automatic recalculation of child support.
- The *Support Enforcement Division* has developed an electronic interface with the Canadian Centre for Justice Statistics as well as with provincial applications such as the Judgement Enforcement Registry (JER) and *Family Orders and Agreement Enforcement Assistance Act*.
- A new component was added to the *Administrative Recalculation* service to allow for automatic and mandatory recalculation of all child support orders as of July 1, 2001 in accordance with section 25.1 of the *Divorce Act*.

- The ***Support Applications Social Worker (SASW)*** program is a service designed to help recipients of income support prepare applications for child support to be heard in court. Originally developed in the 1990, the Fund allowed for the expansion of the program to provide help to all members of the general public. In addition to helping with the application process, the SASW now provides information on the Child Support Guidelines and direct clients with regards to the possibility of resolving issues through mediation.
- CCFJF funding is also used to support the ***Parent Education Program*** that operates in both St. John's and Corner Brook. This program offers information sessions delivered by provincial staff that include power point presentations, handouts and videos. Client feedback is also collected to inform future revisions to the content of the sessions and better meet the needs of clients.
- Newfoundland and Labrador has also produced a ***Family Law Web site*** that contains both process and educational information for families experiencing separation or divorce. It will provide more specific family law information than the existing Provincial Court Web sites and provide links to other family law information sources.
- Research Division of Justice Canada will be conducting a research project on the impact of recalculation of child support on the rate of compliance for child support payments. The fund allows Newfoundland and Labrador to be part of that project.

Nova Scotia

- The ***Parent Information Program*** assists parents in identifying the effect of separation and divorce on children and to identify and practice ways to keep children from getting caught in the middle. The province continues to collect client feedback information in relation to its Parent Information Program, which can be used to improve the service going forward.
- As part of their duties, the ***Conciliator*** acts as a high level intake person, and serves to assist negotiation between parties making an application to the court. The Conciliator is guided by the responsibility to make appropriate referrals to services and screens for violence and abuse issues that may affect the appropriateness of certain referrals and the risk of bringing the parties together to discuss issues.

- The ***Maintenance Enforcement Program*** (MEP) is extending many efforts to keep the Nova Scotia public informed about the MEP and its mandate. Pamphlets on the MEP services are available and are widely distributed. A Field Officer carries out investigations focused on payers who have never paid child support as ordered, are delinquent with payments and/or for whom MEP cannot find employment information. The goals of the project are to increase the enforcement rate, improve recipient satisfaction, increase confidence in the program and reduce costs to other governmental departments. The province also commissioned an examination of the performance of its MEP. The researchers analyzed existing performance measures and evaluated alternative models to the current administrative system of maintenance enforcement in Nova Scotia.
- Nova Scotia also used the fund to develop a new client file access Web site that would increase both efficiency and client service. Electronic transfer of funds by payers to MEP in payment of their support obligations would significantly decrease the wait times for release of payments to recipients and reduce non-sufficient fund or lost cheques. The creation of a Client Access Web site will provide electronic access by recipients and payers to portions of their files. Reciprocating jurisdictions within Canada would also be provided with direct access to specific file information that they require for enforcement purposes. The technological enhancements would also enable to develop system reports and ensure data reliability and replication.
- ***Intake Assistants*** (IAs) provide information to the public on child support, custody and access issues. The IAs coordinate a triage type of service delivery by making appropriate referrals to the Parent Information Program, conciliation or mediation, screening for potential violence and identifying assistive services such as legal aid, income assistance and transition houses.
- The Nova Scotia Department of Justice has developed an ***Administrative Recalculation Program*** to be piloted in areas of the province serviced by the Supreme Court. The Recalculation Program provides for the annual recalculation of child support/maintenance orders and court registered agreements involving the basic table amount of child maintenance in sole, joint (not shared) or split custody cases.

- Two Family Law Information Centres (FLICs), one in Sydney and one in Halifax, operate with the goal of serving self-represented clients in understanding and accessing the family court. By providing free legal information and basic assistance, the FLICs are able to provide information to Nova Scotians with regard to: court processes and forms, how to find a lawyer, alternatives to court, effects of separation and divorce on children, and services available in the community.
- In 2008, the On-Line FLIC was launched. The aim of the on-line FLIC will be to enhance the services currently provided in their on-site FLICs by providing an easily accessible method in which clients can increase their knowledge of court processes. Nova Scotia has developed Web site and the content is aimed at empowering self-represented litigants to adequately represent themselves throughout the family justice process. The Web site content includes: an on-line interactive forms; linkages to existing internet resources; promotion of the existing Family Law Information Centres; information about family law programming currently available including mediation, supervised access, conciliation, summary advice, parent information, etc.

Prince Edward Island

- Prince Edward Island has used the fund for its *Positive Parenting from Two Homes* program. The program is extensively promoted through a variety of media advertisements and community agencies and participation includes a copy of a Parent's Manual. A three-year evaluation considered implementation as well as impact and outcomes assessments. The evaluation indicated that participants reported a significant increase in the level of understanding of co-parenting issues, mediation and support services. Results also indicate that the program has helped with parents' adjustment to parenting from two homes and that there was a significant decrease in conflict after attending the program.
- One of the most promising activities under the Family Justice Initiatives component of the Fund, is Prince Edward Island's *Positive Parenting From Two Homes: For Kids* program. This child education program builds on the parent education program developed by the same province. Objectives include educating children about separation, divorce, and having parents in two homes; providing children with age-appropriate activities through which to process their thoughts and feelings; and providing a supportive, neutral environment for children to explore their feelings. Evaluation conclusions support the continuation and

expansion of the “For Kids!” program. Ninety percent of parents surveyed reported improvements in children’s emotional health after attending the program. The program will be offered in the community and in three elementary schools. It is also intended to present the program in other schools. They will continue to network with daycare facilities to provide some age appropriate services to pre-schoolers using the storybook, “Dinosaurs Divorce”, while the parents are attending the “*Positive Parenting from Two Homes*” Program.

- The province also used the fund to provide mediation services. Mediators deal with family law issues of custody, access and child support. Participation in the mediation service is voluntary. One part-time mediator is available in Charlottetown. She also travels to sites outside of Charlottetown as required. There are also two family court counsellors who mediate cases where there is a conflict of interest and overflow. Each couple who use this province-wide mediation service is eligible for up to eight sessions or twelve hours free of charge.
- The province has worked with the *Community Legal Information Association* (CLIA) to develop, organize, implement and evaluate a pilot family law information program. Existing PEI educational resources and opportunities were reviewed, key stakeholders were consulted, and the content and format of a short informational/educational family law information program for self-represented litigants in family law was developed. An evaluation tool for collecting feedback from presenters and participants at the pilot family law information program was developed. Presenters and participants were identified and contacted to participate in the pilot family law information program. An evaluation report was written, including recommendations for future delivery.
- The *Administrative Recalculation* of Child Support Regulations came into force in September 2003 after the Administrative Recalculation Office opened in Charlottetown in July of that year. This office conducts recalculations of child support where the original order provides for the automatic administrative recalculation of child support on an annual basis but the discretion of the court is not required and it serves all of PEI in both official languages.
- The province also created a *Section 7 Enforcement Officer* to deal with complicated issues relating to the often ambiguous court-ordered section 7 expenses. This officer conducts calculations and enforces payment where possible and communicates with the client where enforcement is impossible due to insufficient specificity of the initial court order. The provincial enforcement office

has also collaborated with the Information Technology Management Group to create an automated bank reconciliation system. This system is integrated with the Maintenance Enforcement Program's existing system and will save the Enforcement Officer's manually tracking payments and allow their time to focus on managing files.

- The other new position facilitated by the CCFJF is the ***Intake Enforcement Officer*** whose role is to provide administrative support to the Enforcement officers and deal with basic client interaction. That has significantly streamlined calls through the office, reduced the time to respond to client calls, and increased the number of clients accessing an enforcement officer for the purpose of enforcement.
- PEI hires a university student to work on a Maintenance Enforcement Program Client Satisfaction Survey Project. The objective of the project is to provide the best service delivery to clients by obtaining feedback from clients on the needs of clients and the strengths and weaknesses of the program.

New Brunswick

- ***For the Sake of the Children*** is a parent education program delivered in 13 locations throughout the province, and is designed to assist separating parents in reducing parental conflict and the negative effects it has on their children. It is offered to the public at no charge. These sessions are designed to send a consistent message to participants, and to also reach those with lower literacy levels. The Parent Education Script/Handout Material will be modified and the content for the Part B, low and high-conflict options, will be combined as one program.
- The ***Child Support Variation Service*** (CSVS) is a pilot project for all cases where motions to vary child support orders are filed, both the applicant and the respondent must appear before a Conciliation Officer who meets with both parties, reviews the evidence provided, ensures necessary documentation is present and calculates a new child support amount. As part of an evaluation of the CSVS program, a legal research firm was retained to prepare and deliver an evaluation design report with survey questionnaires. The evaluation for the CSVS program was conducted in 2004-2005 and completed by fall 2005.
- The ***Court-Ordered Evaluations Support Program*** (C-OESP) is a mechanism that provides financial assistance for the costs of court-ordered evaluations to

- qualified parties (those for whom the costs of such evaluations could cause financial hardship). C-OESP optimizes the use of available funding to assist the maximum number of parents at the lowest possible administrative expense. Eligibility for assistance is determined by using a financial means test (sliding scale).
- **Family Support Order Services (FSOS)** enforces support orders for beneficiaries to ensure the financial contribution of payers. A comprehensive project to renew the FSOS encompasses a number of interrelated initiatives, including stabilization of the business application used by FSOS and its eventual replacement with a comprehensive case management system; a legislative reform package; revitalization of the Programs organizational structure, including staffing and policy and procedure revisions. Under the FSOS, New Brunswick operated a **Target Enforcement Pilot Project**. This project targeted support orders where the beneficiary was receiving income assistance from the province and concentrated work on those files with a single enforcement officer. This project produced a notably higher collection rate and resulted in change in the structure of the Saint John Judicial District caseload.
 - The toll-free **Family Law Information Line** is staffed by a trained individual who provides callers with general family law information, such as child support guidelines information. Participants for the Parent Education Program register for classes through this toll-free line.
 - New-Brunswick used the fund to enhance the enforcement capabilities of the new **automated system to support the Maintenance Enforcement Program**. The fund also allowed New-Brunswick to redesign the **Interactive Voice Response** to integrate with the new MEP computer system functionality.
 - During 2008-2009, New-Brunswick was planning to design pamphlets for new Program capabilities (*i.e.* “*How to make payments on-line*”, and “*Payment Orders*”).
 - New-Brunswick was also planning to hold a Parent Education workshop in Fredericton for the facilitators and hold orientation sessions for new Facilitators, if necessary. Information sessions were also planned for the public at the annual Canadian Bar Association meeting on the Parent Education Program as well as the Child Support Variation Service program (CSVS).

Quebec

- Justice Quebec is pursuing an action plan with the intent to improve their operational activities and evaluate the legislative reforms to ensure that the objectives targeted by the legislation are met. Justice Quebec will continue to offer ongoing projects such as the group information sessions on family mediation, promoting the mediation program (17,000 mediation cases per year) and the *Règlement sur la fixation des pensions alimentaires pour enfants* (respecting Quebec's model for the determination of child support) through advertisements and brochures distributed to practitioners and at various courthouses throughout the province. More information about these services is available on the Justice Quebec Web site <http://www.justice.gouv.qc.ca/>.
- Justice Quebec revised the provincial *mediation* procedure that existed before the recent family law reforms, offering up to six mediation sessions to parents who are separating or divorcing. The mediation process remains voluntary.
- Revenue Quebec's *Maintenance Enforcement Program* is promoted through an awareness campaign addressed at judicial officials, payers and recipients. They also provide additional training to the interveners involved in the Program and undertaking a feasibility study on the withdrawal of professional licenses for non-payment of child support. Revenue Quebec will also continue to make technical changes to their computer system to improve their accounting services, increase staff productivity and improve client services.
- The Quebec Justice Department is conducting a study that will give a profile of spousal support orders pronounced by Quebec Superior Court. The study will also allow the comparison of that profile to the one we had for the Spousal Support Advisory Guidelines. They are also planning a research on family justice in Aboriginal Communities that aims at identifying the family justice-related needs of these communities.

Ontario

Ministry of the Attorney General (MAG)

- The *Family Law Rules* are specialized rules of procedure for family law cases. Since 1999, they have applied to family law cases in the Family Court of the Superior Court of Justice ("Unified Family Court") and the Ontario Court of Justice. Effective July 1, 2004, the application of the *Rules* was expanded to the

Superior Court of Justice, resulting in a single set of court rules for all family trial courts. The *Rules* emphasize the early resolution of cases and incorporate a system of case management, a key feature of which includes a duty to manage cases expeditiously and fairly.

- **Family Law Information Centres (FLICs)** have now been established at all court locations across Ontario. FLICs provide valuable family law information to members of the public, whether or not they have started a court case.
- The **Mandatory Information Program** at the Superior Court of Justice in Toronto is required by all litigants in contested family law proceedings before continuing with their court proceeding. Litigants are presented with information about the process of separation and divorce, options for dispute resolution, legal procedures and support available in the community.
- All family litigants in the Ontario Court of Justice in Toronto have access to information sessions as a result of the **Donner Pilot Project**. Evening information sessions are provided to clients and cover a wide range of issues related to family law, the court process and the impact of divorce and separation on children.
- The **Dispute Resolution Officer** is also connected to the Superior Court of Justice in Toronto. Senior family law lawyers meet with parties prior to court appearances and attempts to resolve the matters through negotiation and resolve the matter before it comes before a judge.
- To facilitate public awareness and understanding of the Child Support Guidelines, a **public inquiry line** continued to be funded and information kits on the Child Support Guidelines and other family law materials continue to be distributed to the public, court staff, client services associates at FRO and Family Support Workers at the Ministry of Community and Social Services.
- At the 17 Family Court (“Unified Family Court”) sites, the Ministry contracts with service providers through a competitive procurement process to deliver voluntary mediation and parent information sessions. These services include **mediation** of most issues arising due to family breakdown: custody, access, support and division of property. Off-site mediation services deals with complex issues and there is a user fee. On-site mediation services are available to deal with narrow issues for parties on that day’s court list, and are free of charge. An Information and Referral coordinator provides information about mediation services, community resources and makes appropriate community referrals. The

Ministry of the Attorney General continues to explore the potential of providing mediation services in child protection cases with specific emphasis on a potential partnership with the Ministry of Children and Youth Services.

- The MAG has also adopted **FRANK**, a court case tracking system, to ensure consistent, province-wide tracking methodology. The system performs data collection and facilitates the tracking activities of not only family court cases but also civil and small claims cases.
- Ontario MAG is using a Web-based index to maintain a listing of people who have a family court restraining order against them. The index will leverage the police extranet to provide police access and will be piloted in 1-2 court sites to assess effectiveness. It will be an investigative tool for police to ensure that family law restraining orders are enforceable and will perform a monitoring and research analysis function as Court Services Division moves towards implementation of its long-term information technology strategy. In 2008-2009, the Index proceeded through various IT “checkpoints” to ensure that the Index meets with standard government IT practices and security requirements. The start date for the pilot of the Index was in the Fall of 2008.

Ministry of Community and Social Services, Family Responsibility Office (FRO)

- In November 2001, FRO entered into a partnership with four private sector collection agencies and established the **Enhanced Collection Agencies Project** (ECAP), which was concluded in November 2004. A value for dollar audit concluded that ECAP met its mandate by helping FRO identify difficult to enforce cases so that resources could focus on their arrears and by assisting FRO in the collection of arrears in these difficult to enforce cases.
- An enhanced **Trace and Locate Unit** was formed within FRO in 2003-2004 to conduct intensive trace and locate actions on returned mail. In the past this mail would accumulate and no action would be taken. This new unit has been extremely successful and has exceeded its targets by tracing and locating not only current mail being returned but mail that has been returned in the past.
- In 2003-2004, FRO launched its new **Registration Calls Unit**. This is a dedicated unit that endeavours to contact approximately 400 new FRO clients per week, within 48 hours of their case being registered. During this phone call, FRO welcomes them to the program and explains to them their rights and responsibilities and updates any incomplete or missing information on the file.

- A new system for **referrals to credit bureaus** was developed and implemented by FRO. The system warns the defaulting payer before they are reported to the credit bureau and gives the defaulting payer an opportunity to contact FRO to set up a payment schedule in order to avoid being reported to the credit bureau. If the defaulting payer does not respond to FRO's warning letter then the payer is reported to the credit bureau and the system creates an electronic report of defaulting payers to be reported to the credit bureau. Results from this initiative have been extremely positive in that payers tend to make contact with FRO to avoid being reported to the credit bureau.
- As part of the project to enhance **reciprocal enforcement** with other jurisdictions, FRO's legal counsel worked on the development of reciprocating agreements with three other jurisdictions: the Czech Republic, the Slovak Republic and Switzerland. FRO is also currently in the process of negotiation with Hungary and has reported that those negotiations are proceeding extremely well.
- FRO has placed considerable emphasis on **awareness building activities** and has developed a structured and strategic outreach initiative that provides more materials to high-traffic government offices and proceeds with ongoing client and stakeholder outreach and Web site improvements. FRO has also developed **Outreach Sessions** for legal professionals, police, judiciary, the bar and family support workers.
- In 2003-2004, FRO launched the pilot project phase of the **PIN project**. FRO has moved to stage two and three of the PIN project and is now issuing PINs to all newly registered FRO clients and to clients who phone the Call Centre.
- FRO has also undertaken **research activities** including the implementation of the national Maintenance Enforcement Survey in Ontario. The Maintenance Enforcement Survey has been in place since 1999-2000. The purpose of the project is to collect data and deliver tables for inclusion in a national survey of provincial and territorial child and spousal support data.
- In 2003-2004, FRO started preliminary work on a **Client Satisfaction Survey**. It is critical for FRO to gain more information about the clients (payers and recipients) it serves and about the quality of client service that FRO provides to these clients.
- Ontario FRO is also undertaking a Document Processing Business Improvement Project that will assist in streamlining the paper work. FRO scans an average of 50,000 documents each month and this number continues to grow. They will

- review the scanning process and look at implementing auto-scan fax machines which would enable a fast and efficient delivery of documents directly to the case owners which would reduce the wait time for documents.
- The fund allowed Ontario FRO to implement and coordinate the Legal Services Branch Proof of Concept project. The objective is to assess whether greater efficiency and greater effectiveness can be realized by increased usage of in-house counsel and reduced reliance on panel lawyers in default proceedings and other default-related motions. If the project demonstrates the value of the in-house approach, it will also provide valuable information to support the request to fund in-house counsel positions wherever feasible and appropriate in other areas of the province.
 - An Administrative Recalculation Service was implemented and that will provide revision of income information provided annually by the support payer and recalculates his/her support order by reference to the *Child Support Guidelines* without the need for intervention by the courts.
 - The services of a consultant are retained to help identify key performance indicators and assist in the development of a performance measurement framework.
 - In 2008-2009 FRO undertook a Document Processing Business Improvement Project that will assist in streamlining the paper work. FRO scans an average of 50,000 documents each month and this number continues to grow. They will review the scanning process and look at implementing auto-scan fax machines which would enable a fast and efficient delivery of documents directly to the case owners which would reduce the wait time for documents.
 - Also in 2008-2009, FRO undertook a Case Management Proof of Concept project as part of the transition to case management. The transition will assist the clients in remitting payments in a more timely fashion. It will also allow for true “case management” which will enable the case workers to focus directly on their case load. Statistical information will be captured and analyzed at the end of the project to determine how successful the Proof of Concept unit is in comparison to the control unit.

Manitoba

- Manitoba's Family Conciliation, Department of Family Services and Housing Manitoba offers free of charge a parent information program called *For the Sake of the Children*, which is delivered as a six-hour program divided into two seminars. The first seminar is generic with all participants attending. With assistance from program specialists and by completing a "self screening questionnaire" participants enrol in one of two programs provided in the second seminar. One seminar is designed for parents with lower conflict relationships where higher contact is possible. The other is designed for parents in higher conflict relationships where lower contact is preferable. To address remote service delivery and the needs of the northern communities, Manitoba launched a CD-ROM package in November 2003 containing information from the first seminar that includes a copy of the *Legal Considerations* video followed by the production of the second seminar on CD-ROM format. Parents located in northern communities can obtain a copy of the CD-ROM package through a number of service providers such as their local library, women's resource centres, court offices and legal aid offices to name a few. A portion of Manitoba's funding is used to offset administrative and operational program costs.
- The *Comprehensive Co-Mediation Program* became a service integrated with Family Conciliation, Department of Manitoba Family Services and Housing, after the Comprehensive Co-Mediation and Mediation Internship Pilot Project ended in September 2000. The Comprehensive Co-Mediation Program provides parents with a cost-effective alternative to litigation while helping to reduce the levels of conflict between parents. Comprehensive Co-Mediation involves a consideration of all the issues that arise from separation/divorce: parenting issues (parental responsibilities/time sharing), child support, spousal support and division of marital property. A family law specialist/lawyer and a family relations specialist/social worker work together with the family to assist in resolving their issues. After completing the co-mediation process, a written agreement is drafted, reflecting those issues that are successfully resolved through co-mediation. This agreement is then forwarded to the participants' lawyers for review and possibly made into a legal separation agreement or a consent order. Ninety-two percent of the mediated cases reported reaching a full or partial agreement with the majority of these (73%) being full agreements. The demand for this program has risen considerably resulting in a waiting list of two to three months on average.

- For over a decade the Manitoba Court of Queen’s Bench Family Division has been operating a ***Case Management Program*** in Winnipeg. The case management process is intended to promote a non-contentious resolution of family law matters, reduce unnecessary delays and minimize costs to litigants. A critical component of case management is the case conference, an informal meeting between the judge, the parties and their lawyers. The goal of the case conference is to encourage parties to work together to reach a satisfactory solution to their cases. Only if the case cannot be resolved in this non-contentious manner (or if the matter is deemed urgent) will the judge schedule a contested hearing. During the initial phase 10-20% of new cases were randomly selected for case management, and in November 2002 case management was implemented 100% in Winnipeg. An evaluation was conducted in 2003-2004 to measure the level of success in the expanded program and the effectiveness of the court process and procedures. The ***Case Management of Family Matters brochure*** is available on the internet at:
<http://www.gov.mb.ca/justice/family/law/casemanagement.html> (English) and
<http://www.gov.mb.ca/justice/family/law/casemanagement.fr.html> (French).
- As part of the Family Division Case Management process, the ***Brief Consultation Service*** provides families and their lawyers, as well as the court, with brief, timely consultation services regarding children’s developmental issues; post-separation parenting; post-separation communication options; counselling needs; information sharing with children related to separation/divorce; scheduling issues and access options; and information/screening regarding other relevant services. A brief focused assessment is conducted by a Family Conciliation counsellor who meets with the parents and if necessary with the child(ren) and prepares a report for the court within five weeks of the court referral.
- The ***Automated Family Court Order Project***, or the “Auto Order” computer process, eliminates traditional delays by enabling family court orders to be produced immediately after a court hearing. The Family Law Branch staff creates a Draft Order using the Auto Order computer system and electronically submits it into the Court Registry System. In the courtroom the clerk edits from the Draft Order (prepared by counsel) and electronically submits into the Court Registry System and distributes it to all parties—all prior to anyone leaving the courtroom. Manitoba’s ***Automated Family Court Order Project***, or the “Auto Order” computer process, is in its 1st year of release. The new AFCO System to the Court of Queen’s Bench Master’s Maintenance Enforcement Court was implemented at the end of 2007-2008. In 2008-2009, the next phase to take place, involves a

- release to the remaining general Family Division courtrooms in Winnipeg and to external legal professionals. The Auto Order Standard Clauses are available on the Internet at:
- <http://www.manitobacourts.mb.ca/english/family/autoorder/autoorder.html>
(English)
- <http://www.manitobacourts.mb.ca/english/family/autoorder/autoorder.html>
(French).
- As of July 2005, Manitoba Justice began operating a ***Child Support Recalculation Service***. Part of a two-year pilot project, the service recalculates certain child support orders at regular intervals, based on updated income information. To be eligible for recalculation:
 - The order must contain an amount for child support based on the Child Support Guidelines tables.
 - The child support order must, in most cases, be based on the actual income of the parent paying the child support.
 - Both parents must live in Manitoba.
 - One of the parents must get a court order authorizing the recalculation.
 - Manitoba's ***A Guide to Changing a Child Support Order in Manitoba*** is intended to help a parent apply to Court in Manitoba to change a child support order. This comprehensive guide contains information on the requirements and procedures of the courts for child support variations, a resource section as well as a glossary of terms to assist a parent in understanding the procedural and legal terminology used in the variation process. The Guide is available on the Internet at:
<http://www.gov.mb.ca/justice/family/law/changembsupportorder.html> (English)
<http://www.gov.mb.ca/justice/family/law/changembsupportorder.fr.html> (French)
 - First published in 1994, the ***Family Law in Manitoba*** public information booklet has been revised several times over the past ten years to reflect changes in provincial and federal legislation. The booklet is designed to provide separating and divorcing parents with an overview of family law and the legal system and the services and resources available to assist them. Manitoba revised the version of the 2005 edition in 2007-2008. Approximately 2,000 copies of the French booklet is being produced. The ***Family Law in Manitoba, 2008*** booklet is available on the Internet at:

<http://www.gov.mb.ca/justice/family/law/englishbooklet/index.html> (English)

<http://www.gov.mb.ca/justice/family/law/frenchbooklet/index.fr.html> (French)

- Since Manitoba's new *Common-law Partners' Property and Related Amendments Act* came into force on June 30, 2004, common-law partners have been able to register their relationship with Vital Statistics. New property laws that took effect the same day give common-law partners (who have lived together for a certain period of time or registered their relationship with Vital Statistics) the same rights that married couples have to family property on separation or death of a partner. A public information pamphlet describing how the Act can affect common-law partners and a section on frequently asked questions was developed with the support of the CCFJF.
- A *Special Investigation Unit* was established in Winnipeg's Maintenance Enforcement Program in 2002-2003 to establish consistent, aggressive enforcement practices with default hearings. Formerly known as the Compliance Unit, MEP consolidated all default hearings using both levels of court available into a single caseload and prepared evidence for these processes. As a result, the Unit continues to secure fuller compliance for some of the most difficult files. This initiative offers a training opportunity for staff to do a general file review across the program.

Saskatchewan

- The *Parent Education Sessions* include options for resolving disputes; the Child Support Guidelines; stages of separation and divorce; the impact of separation and divorce on children and parents; and the importance of ongoing positive parenting. To address parents with high-conflict needs, Saskatchewan has developed a high-conflict module.
- Also, Saskatchewan piloted the *Access Facilitation* program where parents in the program first attend a Parenting after Separation and Divorce information session offered by Family Justice Services, followed by a legal information session with a lawyer from the Family Law Information Centre. Parents then participate in up to four joint mediation sessions to work through access conflict and develop a parenting plan. The *Access Facilitation* program links and builds on these existing services to provide a comprehensive and integrated strategy for resolving access issues.

- A curriculum and series of videos was developed for *children experiencing separation or divorce*. Children learn to understand what they are experiencing, how to communicate with their parents and that they are not alone in dealing with these issues.
- The *Support Variation Project* provides an out-of-court alternative available to lower-income parents who can agree on varying their child support order or agreement. As part of its information and resource component, the Support Variation Project also responds to requests for assistance with self-help kits for court applications to vary child support.
- Saskatchewan Justice continues to operate the provincial *toll-free information lines*, one for the north and another for the southern part of the province. They are also updating the aging Interactive Voice Response (IVR) system in order to mitigate the risk of failure. The new redevelopment of the system includes: establish a remote connection to the existing IVR, gather information from the existing IVR, develop and test programming to convert telephone applications, review and convert start-up procedures, convert and test new data import application, configure, test and convert specific file applications, prepare the IVR server application installation plan, correct software bugs, and ensure that custom cabling operates;
- Specialized *self-help kits* for the use of self-represented litigants seeking to vary court orders were developed in 2003-04 by family law lawyers. The kit is available either in print or on-line. There are now available a variety of kits including: Child or Spousal Support Variation; Variation for a child over 18; Custody or Access Variation; Preparing a Separation Agreement; Initial Application for Custody, Access and/or Child Support; Preparing a Consent Order; Inter-jurisdictional Support Variation of a Divorce Act Order; and several other services.
- The *Maintenance Enforcement Office* helps collect maintenance or support payments ordered by the court or agreed to by two parties. The MEO enrolls, receives and processes payments as ordered by the courts, enforcing court orders and agreements if necessary. Saskatchewan is also conducting Maintenance Enforcement and Child Support Information Sessions in northern and rural communities. The information sessions covers all aspects of child support and enforcement of child support orders and agreements.

- This jurisdiction conducted several researches on what *family law services are required by Aboriginal communities* and whether existing family law and related programs and services meet those needs through consultations and analysis of existing reports from other jurisdictions. There was also the development of a CD-Rom version of the parent education program for use in Aboriginal, rural, and remote communities.

Alberta

- Alberta offers *Parenting After Separation*, seminars where the parents receive information on relationship issues, the effects of separation or divorce on parents and children, parenting plans, communication skills, and, legal matters including child support, guardianship, custody and access. The program is available to family law parties in either Court of Queen's Bench or Provincial Court at no cost to the participant. It is mandatory for all applications made in the Court of Queen's Bench, for litigants who have dependent children 16 years or younger, and is offered in twenty-five centres. Participants must attend the entire 6 hour course and parties may make a request to attend together or apart. Alberta undertook to evaluate that course.
- **Parenting After Separation for Families in High Conflict** is a pilot project in Edmonton and Calgary. It is an additional three hour program to supplement the regular Parenting After Separation Seminars. Participation in the seminar can either be mandated as it is in all high-conflict cases where counsel or parties apply for case management, or, parties may volunteer to attend. The purpose of the high-conflict seminars is to clearly explain to parents the damage that is being done to their children by the ongoing conflict. It also provides practical advice on how to minimize conflict, set healthy boundaries and parallel parenting plans.
- *Mediation* clients are referred by way of the Family Law Information Centres (FLICs), the Parenting After Separation seminars, Family Court Counselors, the judiciary and the family law bar. The Alberta Department of Justice now provides for the mediation of provincial family court disputes as well as divorce matters throughout the province. The services are provided at no cost to parents and families with a child less than 18 years of age or when one of the adult parties involved has an annual income of less than \$40,000.
- The Court Services Division of Alberta Justice has operated six *Family Law Information Centres* (FLIC) since 1997. These offices provide information and materials on child support; making or opposing family law applications, including

custody and access; access enforcement; spousal support; reduction or cancellation of arrears and stay of enforcements; and *ex parte* restraining orders, protection orders on notice and emergency protection orders. The Centres have produced a series of 27 self-help booklets which describe court procedures for Divorce Act applications in the Court of Queen's Bench. Kits and forms are available for Family Law Act applications for those not under the Divorce Act. Litigants may be assisted in determining what information should be included in the court forms, what information should be obtained from the other parent and how to complete the required forms. The Centres also assist parties in calculating child support amounts.

- The FLICs also host three special projects: the ***Dispute Resolution Officer*** in Calgary; the ***Child Support Resolution Officer*** in Edmonton; and the ***Court Generated Orders (CGO)*** in Edmonton and Calgary, Red Deer, Lethbridge, Grande Prairie and Medicine Hat. The CGO is designed to similarly eliminate delays in drafting and filing orders. With a specific aim at helping those who are self-represented or are seeking restraining orders, the program was started in Edmonton and has already been expanded to Calgary due to its initial success.
- **The Maintenance Enforcement Program's Special Investigations and Financial Examinations Unit** has also been expanded to Southern Alberta. It has expanded its operations over the past years to include field investigations such as physical surveillance of defaulting debtors. Also, extensive research was conducted over the past 4 years and a service gap was identified in facilitating access to the Child Access Compliance Service. This service will have a compliance and facilitation role in promoting parent-child contact. It is expected to begin some monitored exchanges in early 2009.
- Alberta conducts research for the feasibility of establishing a Child Support Advance Fund. The fund would provide a limited monthly advance of maintenance to creditors who are in need that will allow families to budget and address housing and food costs, as well as costs relating to education and child care.

British Columbia

- The Family Justice Registry Program (***Rule 5 Project***) requires all parties to a family court application to attend a "triage" session with a Family Justice Counsellor (FJC) prior to a first appearance in family court. This program operates in Vancouver, Surrey Nanaimo and Kelowna. During the triage session,

- the FJC will discuss methods of dispute resolution, assess the particulars of the parties' case and make appropriate referrals. During 2006-07, 47% of mediation cases were closed without a court appearance. The ***Comprehensive Child Support Service*** (CCSS) operates at the Family Justice Registry sites and consists of services provided by a Child Support Officer (CSO), an advice lawyer and a Family Maintenance Enforcement Project (FMEP) Outreach Officer.
- In 2003-2004, it became a mandatory requirement to attend a ***Parenting After Separation*** (PAS) session prior to an appearance in court at 13 court locations in the province. In addition, voluntary programs operate in six other communities throughout BC and "specialised" PAS sessions are offered in Chinese and Punjabi in the Greater Vancouver Area.
 - British Columbia's Web site ***for children*** and (pre) teenagers (www.familieschange.ca) has received international recognition from the American National Child Support Enforcement Association and the International Heads of Agencies. The Web site provides children and youth with practical, emotional and legal information on separation and divorce to better enable them to prepare for and cope with the conflict and changes their families are experiencing. Links to the Web site from over 30 other Web sites were established to increase client awareness and access.
 - The toll-free ***public enquiry line*** continues to provide basic information about a wider range of family justice topics and provide a comprehensive list of services available for further assistance. In 2006-07, the enquiry line received an average of 703 calls per month.
 - British Columbia worked to improve their ***enforcement*** measures. To increase the effectiveness of family search efforts, changes to the computer system were made and a business process review was undertaken. Enhancements to the Family Maintenance Enforcement Program Web site included a Notice of Attachment calculator to assist employers in determining the amount to submit when a payer's wages have been attached. The FMEP also developed and delivered a Call Excellence Training program to staff and managers with a focus on handling conflict over the telephone. The effectiveness of this and other improvements was measured through a customer satisfaction survey.
 - British Columbia continues to be active in the area of ***research and evaluation***, including the ongoing participation in the federal Department of Justice's Survey of Selected Family Courts project. Some examples of work in addition to this are

an evaluation of the Family Justice Registry (Rule 5) and CCSS pilot projects and the preliminary work completed to support a longitudinal study of the impacts of dispute resolution services. The **Children in Mediation project** gives children a voice in the dispute resolution process by involving them, on a carefully selected basis, in discussions with Family Justice Counsellors. The project is also being evaluated.

- British Columbia is developing and implementing IT/IS customer service process enhancements such as the FPT Virtual Project Management Office, and will conduct other activities related to enhancing customer service processes.

Yukon

- The Yukon parent education curriculum has been modelled on Manitoba's *For the Sake of the Children* program which is a natural fit with the existing counselling and parent education programming. The post-separation workshops have been mandatory for all parents since December 1, 2006. Yukon Family Services Association has also piloted a *Kids in Transition* program to provide similar educational experiences for children experiencing separation and divorce. Children were sorted by age group and attended six one-hour sessions.
- The Yukon has also created **Family Law Information Centre** and accompanying website after the recommendations of 2004-05 feasibility study. In 2008-2009, Yukon was planning to expand the services of the FLIC and its website in conjunction with updates to court forms and procedures as well as updating the "Family Law Court Procedure Booklets" in English and French. The Yukon was also planning a focus group session with community stakeholders and members of the judiciary to identify and address challenges in the implementation of the FLIC service expansion and to confirm the accuracy of the updated and expanded court procedure materials.
- **Collaborative law** enables parties to sit down with their lawyers in a series of four-way meetings to deal with some or all of the matters arising from their separation. An essential component of collaborative law is a commitment by the spouses and their lawyers that they will not go to court during the time they are in the collaborative law process. Should the process fail, the collaborative lawyers cannot act for their client in court proceedings. While Yukon Justice does not directly fund collaborative law, they do provide funding for training in collaborative law while informing people about and encouraging collaborative law. However, non-government lawyers deliver this service in the territory.

- A **major information campaign** initiative was launched by the Government of Yukon to reach First Nations and rural Yukoners who could benefit from the programs and services offered but who may not have done so in the past. This campaign includes a series of innovative radio ads on child support and parent education aimed at a First Nations and rural audience. A **Family Justice Information Session** was also held to inform service providers, lawyers and interested member of the public about issues such as maintenance enforcement and Child Support Guidelines.
- One of the best-received projects of the Government of Yukon was the publication of French and English versions of a **Yukon Guide to Family Law**. It is a user-friendly, Yukon-relevant, “one-stop shopping” booklet that explains child support procedures and available local resources. Another effective publication is **Splitting Up—A Yukon Guide to Separation and Divorce** which covers a wide range of family law subjects and was updated in 2007.
- The first seven booklets in a series of Family Law Court Procedure Booklets to assist self-represented parents to deal with family law issues in the courts were produced in 2005. These booklets address issues related tot child support.
- The mandate of the Yukon Maintenance Enforcement Program (MEP) is to assist parents registered with the program to collect or pay their child support and spousal support. The MEP revised, updated and distributed program materials such as forms, information sheets and related registration documents. The territory undertook a feasibility analysis for an Interactive Voice Response (IVR) system specifically designed to interface with the current MEP computer system. The study indicated that an IVR system would have an overall positive impact on the MEP office as it could provide access to claimants, respondents and other jurisdictions for inquiries when the MEP office is closed and could reduce the number of routine phone calls that staff must handle. The MEP was also the recipient of funding for an advertising campaign that was part of a Canada-wide strategy to promote awareness.
- Over the past few years, the Yukon MEP has also investigated the possibility of setting up a direct deposit service that would allow the program to deposit support payments directly into client accounts. The recent completion of the new MEP computer system and advances in computer banking technology may now make a direct deposit service for Yukon MEP clients more feasible. The MEP also improved client access through the creation of the MEPline for access via telephone and supplemented that with internet access to accounts.

- **Yukon** is exploring the feasibility of providing a *supervised access service for children* of separating or divorcing parents. They also conduct a Recalculation Service Feasibility Study. The project will examine the feasibility of creating a Child Support Recalculation Service that meets the needs of Yukon residents. A contractor will be engaged to prepare a feasibility analysis.

Northwest Territories

- The *Parent Education Program* has been gradually expanding to serve the communities outside of the central capital. Attendance is voluntary and extended family and community support workers are welcome. In addition to the workshops, the staff have been offering the community social service professionals a professional development workshop to encourage referrals and promote public awareness of the program. They are now working on designing and implementing **a new parenting after separation program**. The goal is to design a program model that can be delivered efficiently to parents undergoing a separation/divorce in the Northwest Territories taking into consideration the geographic, demographic and linguistic diversity of the residents.
- The *Maintenance Enforcement Program* has made improvements to the Child Support Management system enabling the program to improve client services, reporting and auditing functions. This also allowed for further staff time to be dedicated to client services including the toll-free information line.
- NWT continues to promote *public awareness and understanding* in relation to child support guidelines in a number of ways including distributing information materials on both the federal and territorial guidelines and other general information. Such information is also made available through offering and promoting programs such as the Parenting After Separation and/or Divorce Sessions. The NWT used the fund for their work towards the publication of Family Law Guide for NWT residents; producing the final two (in a series of six) brochures designed to inform individuals about legal concepts and court procedures in the area of family law; and a series of self-help kits that are designed to enable individuals to navigate themselves through particular court processes, such as obtaining a divorce order. The shortage of lawyers in the Northwest Territories is preventing individuals from obtaining timely court remedies in the area of family law. Self-help kits are not designed to serve as a substitute for professional legal advice, however it is expected that they will help individuals to obtain certain legal remedies in a timely and less expensive manner.

- Northwest Territories continues to be an ongoing participant in the federal Department of Justice's Survey of Selected Family Courts project. The Program Coordinator for the NWT also continues to monitor the FPT work with regards to recalculation services for child support though it does not yet offer such services.
- As for the family law mediation program, Northwest Territories are developing a new program model built on the successes of the previous pilot program while incorporating minor adjustments to the method in which the program is delivered. It is anticipated that the program be operational for the last four months of the 2008-2009 fiscal year. The mediations will be conducted in-person in various communities and by way of teleconference for individuals living outside of the major city centres, and are designed to deal with child support, custody and access issues following a separation or divorce.
- A feasibility study will be conducted to assess the operational costs associated with creating/maintaining a database as well as human resource costs associated with training employees and/or creating new employment positions. The survey collects data on the amounts of child and spousal support awarded, the income level of parents, the age and living arrangements of the children, special expenses and other characteristics of the orders.

Nunavut

- The Nunavut Department of Justice's *Inuusirmut Aqqusiuqtiit* (IA) program was designed to increase access to family justice services in the territory by providing community-based family law information and dispute resolution services to assist parties in settling family matters (such as custody, access and support) arising from relationship breakdown. The program provides an innovative dispute resolution, counselling and information program that combines southern-based mediation techniques with traditional Inuit approaches to problem solving in order to deliver culturally relevant dispute resolution services to Inuit people. While the program suffered due to the fact that it was without a Program Coordinator for almost all of 2007, it remains an important part of Nunavut's family law system.

- The Family Support Office has developed a Nunavut-based ***Parenting After Separation Program***. To ensure community participation in the program's development, the Nunavut Department of Justice established a working group to review parent education programs in other jurisdictions and to make recommendations for the creation of a Nunavut parenting program. The program will offer workbooks in English, Inuktitut, Inuinnaqtun and French and will be facilitated following the model of other jurisdictions.
- The Nunavut ***Maintenance Enforcement Program*** currently employs a manager and four enforcement officers. A new automated system called Childview Software was purchased from the Yukon and went into use in May 2006. These activities also support the work still being done to create a new ***Maintenance Orders Enforcement Act***.
- There will be an effort by the Nunavut Program Coordinator to spearhead ***Public Legal Information*** campaign aimed at addressing the continuing need for people in Nunavut, especially in remote communities, to be educated about their basic family law rights and responsibilities. This effort will include holding information sessions in four different communities (Sanikiluaq, Cape Dorset, Rankin Inlet and Cambridge Bay) to explain the wide variety of services available.
- **Nunavut now operates** a Financial Examinations Pilot Project. The objective of the project is to meet with the debtors and try to reach payment arrangements on their arrears before setting the matter with the Courts. The pilot project would be tested in Iqaluit this fiscal year and if successful, plans would include establishing financial examinations in the communities where the Maintenance Enforcement Program accounts have the largest amounts of unpaid child support outstanding.
- Another example on how Nunavut used the money from the fund is by hiring a consultant to carry out community consultations to finalize drafting of the ***Maintenance Orders Enforcement Act***. Once the draft legislation is finalized, further community consultations will be conducted to ensure it meets the needs of the public. Draft legislation will be considered by Cabinet during the next Government's term of office.
- A user-friendly Web site is being designed, developed and implemented in Nunavut. This Web-site will include information about all family related programs that are available in Nunavut, including on-line downloadable forms. All maintenance enforcement forms, pamphlets and other resource materials, as well as translation into Nunavut's four official languages will be reviewed prior to

making them available on the Website. Considerations would include an automated voice response system linked to the Maintenance Enforcement Program system together with appropriate access for the clients to obtain account information.

- **Nunavut** initiated a Client Satisfaction Survey that will address Program satisfaction, possible improvements given the vastness of the North, and, methods of working with the communities to ensure Court ordered child support is paid. The survey will be mailed out and followed-up by a telephone survey for non responses.

APPENDIX II: FUNDING ALLOCATION TABLE FAMILY JUSTICE INITIATIVES COMPONENT: 2003-2009

Province/Territory	Family Justice Initiatives Component					
	Funding Allocation (2003-04)	Funding Allocation (2004-05)	Funding Allocation (2005-06)	Funding Allocation (2006-07)	Funding Allocation (2007-08)	Funding Allocation (2008-09)
Newfoundland/Labrador	\$366,436	\$361,514	\$361,514	\$361,514	\$361,514	\$361,514
Prince Edward Island	\$216,214	\$214,916	\$214,916	\$214,916	\$214,916	\$214,916
Nova Scotia	\$530,116	\$521,404	\$521,404	\$521,404	\$521,404	\$521,404
New Brunswick	\$456,017	\$449,017	\$449,017	\$449,017	\$449,017	\$449,017
*Quebec	\$3,427,735	\$3,427,735	\$3,427,735	\$3,427,735	\$3,427,735	\$3,427,735
Quebec – Justice	\$2,742,188	\$2,742,188	\$2,742,188	\$2,742,188	\$2,742,188	\$2,742,188
Quebec – Revenue	\$685,547	\$685,547	\$685,547	\$685,547	\$685,547	\$685,547
*Ontario	\$5,144,287	\$5,144,287	\$5,144,287	\$5,144,287	\$5,144,287	\$5,144,287
Ontario – MAG	\$4,115,429	\$4,115,429	\$4,115,429	\$4,115,429	\$4,115,429	\$4,115,429
Ontario – MCCA/FRO	\$1,028,857	\$1,028,857	\$1,028,858	\$1,028,858	\$1,028,858	\$1,028,858
Manitoba	\$618,064	\$607,321	\$607,321	\$607,321	\$607,321	\$607,321
Saskatchewan	\$559,547	\$550,153	\$550,153	\$550,153	\$550,153	\$550,153
Alberta	\$1,391,044	\$1,362,500	\$1,362,500	\$1,362,500	\$1,362,500	\$1,362,500
British Columbia	\$1,779,985	\$1,742,489	\$1,742,489	\$1,742,489	\$1,742,489	\$1,742,489
Yukon Territory	\$207,951	\$207,676	\$207,676	\$207,676	\$207,676	\$207,676
Northwest Territories	\$200,921	\$200,562	\$200,562	\$200,562	\$200,562	\$200,562
Nunavut	\$210,685	\$210,428	\$210,428	\$210,428	\$210,428	\$210,428
Total	\$15,109,000	\$15,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$15,000,000