



**SUPPORTING FAMILIES EXPERIENCING SEPARATION AND
DIVORCE INITIATIVE
EVALUATION
Final Report**

March 2014

**Evaluation Division
Office of Strategic Planning and Performance Management**



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ACRONYMS

CCFLS	Child-centred Family Law Strategy
CCFJF	Child-centred Family Justice Fund
CCJS	Canadian Centre for Justice Statistics
CCS	Civil Court Survey
CCSO – FJ	Coordinating Committee of Senior Officials – Family Justice
CRDP	Central Registry of Divorce Proceedings
FCY	Family, Children and Youth Section
FJI	Family Justice Initiative
FLAS	Family Law Assistance Service
FOAEAA	Family Orders and Agreements Enforcement Assistance Act
F/P/T	Federal, Provincial and Territorial
FTE	Full-time Equivalent
GAPDA	Garnishment, Attachment and Pension Diversion Act
ISO	Inter-jurisdictional Support Orders
MEPs	Maintenance Enforcement Programs
NCR Registry	National Capital Region Registry
NGOs	Non-governmental Organizations
O&M	Operation and maintenance
PDU	Program Development Unit
PLEI	Public Legal Education and Information
SMEP	Survey of Maintenance Enforcement Programs
SSAG	Spousal Support Advisory Guidelines
SFI	Supporting Families Experiencing Separation and Divorce Initiative
SFF	Supporting Families Fund
SRLs	Self-represented litigants

EXECUTIVE SUMMARY

1. Introduction

The *Supporting Families Experiencing Separation and Divorce Initiative* (SFI) is a five-year \$122 million Justice Canada initiative introduced on April 1, 2009. It builds on a foundation of federal and provincial/territorial collaboration on family justice issues. The SFI is intended to strengthen the family justice response to the needs of families experiencing separation and divorce by contributing to the continued improvement of access to family justice and by encouraging greater parental compliance with family obligations, notably support and access.

The evaluation of the SFI covered the period between 2009 and 2013. In accordance with the Treasury Board Secretariat's Policy on Evaluation, it addressed the core issues of relevance and performance.

2. Methodology

Multiple data collection methods were used in the evaluation, including:

- a review of SFI program documents and statistics;
- a web-based survey (667 respondents) and telephone interviews (33 participants) with practising family lawyers and mediators;
- interviews with judges and federal, provincial and territorial representatives (35 interviews);
- a detailed review of the Supporting Families Fund (SFF) grants and contributions documents;
- an analysis of exit surveys completed by persons who had used parenting education programs and mediation services;
- SFF case studies (24 in total);
- parent focus groups (12 in total);
- a national survey of 1,200 parents experiencing separation and divorce;

- a review of national research/statistics; and
- a review of family justice literature.

Triangulation of the data was used to verify and validate the findings and to arrive at a consensus that is reflected in the evaluation conclusions.

3. Findings

3.1. Relevance

Continued need

The SFI activities are addressing many of the significant needs of families. Although some progress has been made, there continues to be a need for specific legal information that addresses the needs of families who are from linguistic or cultural minorities and those living in remote communities. Also, the complex needs of high conflict parents are not being completely addressed and those cases are creating extensive backlogs in the family justice system. Information alone is not sufficient for some of these families. Access to timely, low cost and accurate legal information at certain points in the legal process is particularly important for self-represented litigants (SRLs), who represent an increasing proportion of family justice system users.

There is a continued need for a comprehensive national program to address the diverse needs of families experiencing separation and divorce. The Action Committee on Access to Justice in Civil and Family Matters stressed the need for change to make the justice system more accessible. It highlighted the need to provide more information and a single-point of entry.¹ The SFI helps in both of these areas by providing public legal education and information (PLEI)² and by providing services such as family law information centers. The Coordinating Committee of Senior Officials - Family Justice (CCSO-FJ) has also made a business case emphasizing the need for continuity of services and programs by federal, provincial and territorial governments to support separating and divorcing clients of the family justice system, and advocating for

¹ Action Committee on Access to Justice in Civil and Family Matters (2013). Access to Civil and Family Justice: A Roadmap for Change.

² PLEI is developed both at the federal level and by non-governmental organizations (NGOs).

sustained, long-term funding from the federal government to help the provinces and territories maintain and continuously improve the delivery of these services.

Alignment with government priorities

SFI activities, outputs and the ultimate outcome for this Initiative are fully aligned with the Justice Canada's strategic outcome of a *fair, relevant and accessible Canadian justice system*. The comprehensive leadership, assistance and investment activities undertaken by the SFI are also aligned with the federal government commitment *to ensure that Canadian families experiencing separation and divorce will continue to be well served*.³

The SFI also supports activities, programs and services directed towards assisting parents to comply with their custody, access and support obligations, which is aligned with the federal government priority *to build a stronger society that promotes respect for the law*.⁴

Alignment with federal roles and responsibilities

Family law in Canada is an area of shared jurisdiction between the federal and provincial and territorial governments, as a result of the distribution of legislative powers under the *Constitution Act, 1867*. The leadership, assistance and investment activities undertaken by the Justice Canada Family, Children and Youth Section (FCY) are fully aligned with the federal government's mandate in relation to its legislative authority under the *Divorce Act*, the *Family Orders and Agreements Enforcement Assistance Act* (FOAEAA) and the *Garnishment, Attachment and Pension Diversion Act* (GAPDA). SFI activities are consistent with its role in the development of family law and policy work nationally and internationally, facilitating collaboration and partnership building among the jurisdictions through the CCSO-FJ, supporting the ongoing quality improvement and innovation of family justice services and programs in the jurisdictions, mainly achieved through the SFF and the development of PLEI at the federal level.

Although the roles and mandates of the federal government are distinct from those of the provinces and territories, the different governments work together within a clearly defined structure of collaboration. This ensures that the SFI contributes to: addressing issues of access to justice and parental compliance with custody, access and support obligations; helping mitigate

³ Department of Justice (September 6, 2008). New Initiative to Support Families Experiencing Separation and Divorce (News Release).

⁴ Government of Canada. Speech From the Throne, April 4, 2006.

the negative effects of separation and divorce; and ensuring that the best interests of the child remain at the heart of family justice.

3.2. Performance - Achievement of Expected Outcomes

Federal, Provincial and Territorial capacity

The SFI activities have strengthened federal capacity to address the needs of families experiencing separation and divorce. Activities that have had the most impact include: providing contribution funding through the SFF to improve enforcement systems; supporting the gathering and dissemination of national enforcement data through two national surveys (the Civil Court Survey (CCS) and the Survey of Maintenance Enforcement Programs (SMEP)); ensuring PLEI is available on the Justice Canada website and in printed documents including *The Federal Child Support Guidelines: Step-by-Step*; and providing leadership in terms of collaboration and partnership building with the provinces and territories.

The SFI has enhanced the capacity of the provinces and territories to provide and deliver family justice services that meet the needs of families experiencing separation and divorce. Some of the most significant achievements include SFF grant and contribution funding to support activities, programs and services that meet the needs of families in the provinces and territories; partnership building between the jurisdictions which supports effective program planning, research and policy development; the development of widely-used federal PLEI material; and the provision of federal enforcement services that assist the Maintenance Enforcement Programs (MEPs) in their support enforcement related activities.

Enhanced awareness and understanding of parental obligations, compliance and the family justice system

The activities of the SFI have enhanced parental awareness of the family justice system including custody, access and support obligations and their compliance with them. Parent education programs are the best means of enhancing parent awareness and have made an important contribution to cultural shifts in thinking about parental responsibilities. These include the importance of placing the needs of children at the centre of custody, access, and support agreements and the value of mediation as a means of reaching custody and support agreements.

The SFI has also contributed to enhancing the knowledge and awareness of legal professionals, particularly through the funding of specialized training and the development and distribution of PLEI.

Expanded accessibility of family justice programs and services

The SFI has dedicated significant resources to increasing the accessibility of family justice services and programs to targeted groups of parents including linguistic and cultural minorities and those who are geographically isolated. Access is most effectively achieved through parent education programs, enforcement assistance delivered through the provinces and territories, the dissemination of PLEI. However, some groups are considered to have continuing issues of accessibility (e.g. First Nations, specific linguistic and cultural minorities and high conflict parents).

Improved efficiency of enforcement tools and services

The SFI has also contributed to improvements at the federal level by addressing system efficiencies, improving business practices, adding new sources of garnishable moneys, and enhancing electronic transfer of enforcement information to and from the jurisdictions so that provincial and territorial efforts to support compliance can be simplified and made more efficient. The SFI has also supported the provinces and territories through improvements in enforcement systems and technologies, the hiring of specialized enforcement staff, and assistance with participation in national data collection on enforcement issues.

Enhanced capacity and ability of parents to reach agreements and comply

The SFI has had a significant role in enhancing the capacity of parents to reach appropriate custody, access and support agreements and compliance with custody and access agreements. This was achieved particularly through the funding of services and programs such as mediation, parent education, and the development and distribution of PLEI products.

Increased parental compliance with financial support obligations

The SFI has made progress towards increased parental compliance with their financial obligations through services and programs funded under the SFF, as well as PLEI and service improvements provided through FCY. Aspects of the SFI services and activities that were seen to contribute the most to compliance were those provided under FOAEAA and GAPDA, technical and systems assistance provided to the MEPs, funding of recalculation services to help

keep child support payments in line with earnings, and the availability of new sources of moneys for garnishments.

Increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce

Considered as a whole, SFI leadership, assistance and investment activities have led to the achievement of direct and intermediate outcomes that have resulted in improvements to the effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce. These include the funding for family justice services, programs and activities that support parental awareness, enhanced accessibility to services, and support parental compliance with their custody, access and support responsibilities.

Mediation, parent education programs, PLEI, and enforcement-related services are the most effective in terms of exemplifying best practice elements and are associated with the highest levels of parent satisfaction.

3.3. Performance - Demonstration of Efficiency and Economy

The SFI has been administered economically, but the level of salary and operation and maintenance (O&M) funding was not sufficient to meet the demands placed on Justice Canada's Family Law Assistance Services (FLAS) for system upgrades and for its operation between 2009 and 2013.

The administration of both the SFF and FLAS has been shown to have high levels of operational efficiency. The administrative costs as a percentage of total operating costs are low, as is the resulting efficiency ratio. In addition to having a low administrative efficiency ratio, the Program Development Unit (PDU) meets and exceeds the Justice Canada service standards for the administration of the SFF 100% of the time.

In addition to helping to achieve the outcomes of the SFI, the SFF support of mediation services and parent education programs has had a positive impact on reducing costs for families. Although this is not a direct cost savings to the federal government, it is an indication of the multiplying effect of the federal investment and one of the measurable benefits of supporting these programs and services. The outcomes for parents of FLAS activities are also substantial when compared to the amount of federal net expenditures.

1. INTRODUCTION

The *Supporting Families Experiencing Separation and Divorce Initiative* (SFI) is a five-year federal initiative launched on April 1, 2009. The SFI contributes to improvements in access to the family justice system for parents experiencing separation and divorce and encourages greater parental compliance with their custody, access and support obligations. The SFI is directed towards mitigating the impact of separation and divorce on children and ensuring that the best interests of the child remain at the heart of the family justice system.

1.1. Purpose of the Evaluation

In accordance with the 2009 Policy on Evaluation, the primary purpose of the evaluation is to assess the relevance and performance of the SFI. In terms of relevance, the evaluation considered the continued need for the Initiative and the alignment of its priorities and activities with government priorities, departmental strategic outcomes, and federal roles and responsibilities. With regard to performance, the evaluation considered both effectiveness (i.e., the extent to which the Initiative has achieved its objectives), and efficiency and economy (i.e., the degree to which appropriate and efficient means are being employed to achieve the desired outcomes).

The evaluation covers the SFI activities undertaken between fiscal years 2009/10 and 2012/13.

1.2. Structure of the Report

The report contains six sections including the Introduction. Section 2.0 provides the background of the SFI, describing its governance, resources, stakeholders and beneficiaries, program logic and activities, outputs and outcomes. Section 3.0 describes the methodology and multiple lines of evidence used in the evaluation. Section 4.0 summarizes the key findings while Section 5.0 presents the conclusions. Section 6.0 outlines the recommendations and the management response.

2. PROFILE OF THE SFI

2.1. Overview and Historical Context

Since the mid-1980's, federal funding has been provided to the provinces and territories to support services and programs that assist separating and divorcing families. The SFI, the current federal family justice initiative, builds on a foundation of federal and provincial/territorial collaboration on family justice issues. The SFI is designed to strengthen the family justice system's response to the needs of families experiencing separation and divorce by contributing to continued improvements in access to family justice, and continued encouragement of greater parental compliance with family obligations, notably support and access.

The SFI is the seventh⁵ consecutive federally-funded initiative in the area of family law and family justice implemented by Justice Canada. While each initiative has been articulated and implemented individually, they are all interconnected and have built on successes from previous initiatives. Three core principles have been prominent, but with varying degrees of emphasis, over time. These include:

- promoting the best interests of the child;
- improving compliance with orders and agreements; and
- reducing conflict in marriage breakdown.

⁵ The seven initiatives are: 1) The first Enforcement Fund from 1986 to 1992; 2) The second Enforcement Fund (part of the Government of Canada's Action Plan for Children – Brighter Futures) from 1992 to 1997; 3) The Child Support Initiative, including a province/territorial funding component called the Child Support Implementation and Enforcement Fund as part of the Child Support Initiative from 1996 to 2001; 4) Continuation of the Child Support Initiative, including the Family Justice Bridging Fund, from 2001 to 2003; 5) The Child-centred Family Law Strategy (CCFLS), including the Child-centred Family Justice Fund (CCFJF) from 2003 to 2008; 6) An extension of the CCFLS from April 2008 to March 2009; and 7) The Supporting Families Experiencing Separation and Divorce Initiative, announced in 2008, launched in April 2009 and ending in March 2014.

The best interests of the child was confirmed as the only factor to be considered in custody and access cases when the *Divorce Act* was amended in 1985. It is widely-recognized as the guiding principle for custody matters in domestic and international law. This principle has been reaffirmed by Justice Canada and is fundamental to the SFI.

A number of trends can be observed in relation to the evolution of the initiatives leading to the SFI. Federal, provincial and territorial collaboration, a central element of the SFI, was facilitated by the establishment of the federal, provincial and territorial Family Law Committee in 1981. This initial collaboration led to the development and implementation of Provincial Maintenance Enforcement Programs (MEPs). In 1991-92, Justice Canada provided funding to support the MEPs through the Brighter Futures Program. During the Child Support Initiative, which began in 1996, further funding to the provinces and territories assisted with the implementation of the *Federal Child Support Guidelines*. These activities strengthened the capacity of the provinces and territories to deal with family justice issues and provide greater access to family justice.

As the percentage of divorced and separated Canadians in the population has increased, the complexity and scope of family justice issues addressed by the initiatives have grown. Initiatives have assisted with the implementation of harmonized child support guidelines across the country and the improvement of inter-jurisdictional processes related to family support both at the national and international level. There has also been an expansion of provincial and territorial programs that also help parents access public legal education and information (PLEI) and deal with their parenting arrangements.

Over the last two Initiatives, Justice Canada has also assumed a growing role in the dissemination of PLEI and tools. It started with products that supported the development of the *Federal Child Support Guidelines*, and then expanded to include a publication on how to divorce in Canada, a booklet for children on divorce, a calendar for children to keep track of their time with each parent, a searchable database of family justice services across Canada, a guide for parents on how to make a parenting plan, an online child support calculator and a popular website, among many other products.

2.2. Governance of the SFI

The Family, Children and Youth Section (FCY) is a multi-disciplinary team within the Policy Sector responsible for developing, monitoring and implementing policy, providing expert legal advice, delivering services to assist in enforcing support obligations and in detecting duplicate

divorces through such programs as the Central Registry of Divorce Proceedings (CRDP). The Senior General Counsel of the FCY is accountable for the overall development, direction, implementation and management of the SFI and also serves as the federal co-chair for the Coordinating Committee of Senior Officials-Family Justice (CCSO-FJ). Permanent and ad hoc sub-committees and working groups comprised of federal, provincial and territorial representatives, work collaboratively within this structure to address family justice issues.

Each unit within the FCY is responsible for a range of activities which contributes to the effective implementation of the SFI, supports the federal and provincial roles in family justice and ultimately helps address the needs of parents experiencing separation and divorce. Examples of the specialized activities carried out by the units include the following:

- The *Family Law Policy Unit* is responsible for all aspects of legal and policy advice including development, analysis, and implementation and monitoring, with respect to the *Divorce Act* and its regulations including the *Federal Child Support Guidelines* and the CRDP regulations, as well as for family law/justice policy generally.
- The *Support Enforcement Policy and Implementation Unit* is responsible for legal and policy advice including development, analysis, implementation and monitoring with respect to the *Family Orders and Agreements Enforcement Assistance Act* (FOAEAA) and the *Garnishment, Attachment and Pension Diversion Act* (GAPDA); support enforcement generally; and, for the national coordination of inter-jurisdictional support enforcement initiatives.
- The *Communication and Law Information Unit* is responsible for communications advice and services with respect to family justice policies and programs. The unit was merged with the Communications Branch in August 2012.
- The *Program Development Unit* (PDU) is responsible for administering the Supporting Families Fund (SFF) including its analysis, development, implementation, coordination, performance monitoring and quality control. The PDU also supports non-governmental organizations (NGOs) in developing family law information and training resources.
- The *Research Unit* carries out social science policy and statistical research to inform family justice policy and program development and implementation.
- The *Administrative Services Unit* is responsible for the coordination and management of an effective business framework for the FCY.

- *Family Law Assistance Services (FLAS)* administers activities mandated under FOAEAA, GAPDA and manages the CRDP.

FCY collaborates and consults with the provinces and territories with regards to policy and program planning, and research work. At the federal level, although the PDU oversees the contribution agreements with the provinces and territories and NGOs under the SFF, all the FCY units review and have input into funding decisions.

2.3. Stakeholders and Beneficiaries

Key stakeholders

Key stakeholders of the SFI include provincial and territorial partners involved with family justice services and programs including family court judges, family law lawyers and mediators (including professional organizations such as the Canadian Bar Association), other professionals, support staff from the MEPs and courts, and non-government organizations that deliver family justice services and programs and PLEI.

FCY also directly works with other federal government departments and agencies including the Canadian Centre for Justice Statistics (CCJS), which administers national surveys pertaining to the family justice system, Public Works and Government Services Canada, Employment and Social Development Canada, the Canada Revenue Agency, Finance Canada, Transport Canada, Citizenship and Immigration, Department of Foreign Affairs, Trade and Development, Aboriginal Affairs and Northern Development and the Royal Canadian Mounted Police.

In addition, FCY engages international partners on family justice issues in collaboration with the provinces and territories. Federal, provincial and territorial officials also work together to assess the feasibility of implementing the *1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children* (1996 Convention) and the *2007 Hague Convention on the International Recovery of Child Support* (2007 Convention). FCY also provides support for the implementation of the *1980 Hague Convention on the Civil Aspects of International Child Abduction*.

Beneficiaries

Provincial and territorial family justice services and programs as well as non-government PLEI groups and organizations are key beneficiaries of the SFI. However, it is the families who have experienced separation and divorce, their children and other family members who are the ultimate beneficiaries of the activities, services and support provided through the SFI.

In a broader sense, the family justice system is also a beneficiary of the SFI. Services and programs funded through the SFI such as mediation, parent education, support enforcement⁶ and a range of family justice PLEI products provide families with options for handling custody, access and support issues, and provide tools that support compliance with family obligations. More efficient and effective use of the family justice system can help to reduce costs and delays for the courts as well as reduce costs to families.

2.4. Resources

The SFI is a five-year, \$122 million initiative. Table 1 presents the resources allocated by each year of the Initiative.

Table 1. Resources Allocated to the SFI by Each Year of the Initiative

Initiative Resources	2009/10	2010/11	2011/12	2012/13	2013/14	Total
Salary + Operations and Maintenance (O & M)	7,169,689	7,169,689	7,169,689	7,169,689	7,169,689	35,848,445
Grants and Contributions (G&Cs) ⁷	16,000,000	16,000,000	16,000,000	16,000,000	16,000,000	80,000,000
Total Resources (excluding employee benefit plan and accommodation costs)	23,169,689	23,169,689	23,169,689	23,169,689	23,169,689	115,848,445

In addition to \$115,848,445 directly allocated to FCY, the employee benefit plan and Public Works and Government Services Canada accommodation costs for the five-year period were \$6,151,555, bringing the overall Initiative total to \$122 million.

⁶ Support enforcement programs and services include provincial and territorial MEPS and FLAS.

⁷ The evaluation examined the SFF only for the period 2009-2012, since most final reports for 2012-13 had not yet been submitted. This ensured that the data set for funding of programs would be complete for the years reported. Although the overall allocation to the SFF over five years is \$80 million, approximately \$48 million was allocated in the first three years and included in the analysis.

The Treasury Board's 2009 Policy on Evaluation requires that non-initiative⁸ resources (salary and O&M) also be accounted for in the evaluation of initiatives. In addition to the \$122 million Initiative funding, a total of \$5,975,656 in non-initiative funding over the five-year period was available for SFI-related activities. This amount was composed of \$1,147,361 for each⁹ of the five years in salary dollars, and \$79,617 in O&M for the first three years only (2009-2010 to 2011-2012).

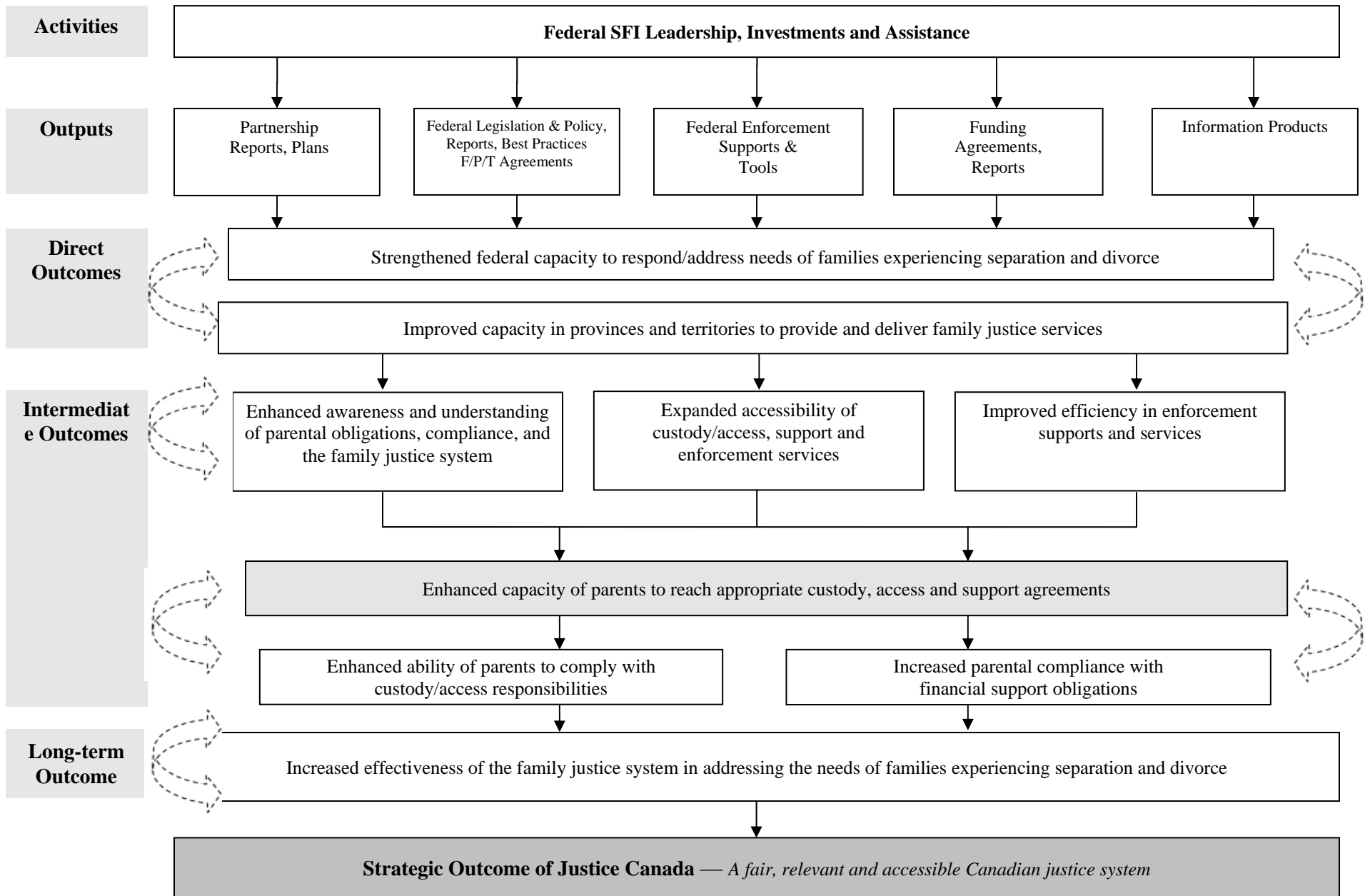
The total initiative and non-initiative funding for SFI related activities over the five years is therefore \$127,975,656. Forty-seven full-time equivalents (FTEs) are funded through the SFI and 13 FTEs are funded through non-initiative resources for a total of 60 FTEs per year over the five-year period.

2.5. SFI Program Logic

The ultimate outcome of the SFI is to increase the effectiveness of the family justice system in meeting the needs of families that are experiencing separation and divorce. This is expected to be achieved through a number of activities aimed to increase accessibility to the family justice system and promote compliance with parental responsibilities and financial obligations. The SFI Logic Model, on the next page, outlines the various activities, outputs and outcomes that are expected to contribute to the achievement of this outcome.

⁸ Non-initiative resources are part of the departmental budget, also referred to as A-base

⁹ Non-initiative resources allocated to the FCY were also included in this evaluation even though they were not expended exclusively for SFI-related activity(excluding family violence which is evaluated separately). This ensures that all family law activities are included in the departmental evaluation plan.



2.5.1. Activities and Outputs

The SFI is intended to strengthen the family justice system's ability to respond to the needs of families experiencing separation and divorce through a renewed emphasis on improving access to family justice and promoting parental compliance with family support and custody/access obligations through three main activity streams:

- SFI *Leadership* activities encompass the federal role in working with partners and stakeholders in the provinces and territories to facilitate coordination, collaboration and planning on family justice policy, research and program development. The leadership and collaboration role of the SFI with the provinces and territories is facilitated through the CCSO-FJ, its related sub-committees and working groups and through specific policy and research initiatives that have a national impact on families experiencing separation and divorce. This includes making regulatory changes to update the Federal Child Support Tables which form part of all federal, provincial and territorial child support guidelines except for Quebec.
- SFI *Assistance* activities include the CRDP which detects duplicate divorce proceedings across Canadian courts and the development and availability of federal tools that facilitate and promote compliance with family support orders and agreements in the provinces and territories. Tools include payor tracing, garnishment and licence denial governed by the FOAEAA and the GAPDA; federally-developed PLEI tools that are intended to help families determine child support amounts, find family justice services available in their jurisdiction, and develop custody and access agreements; and activities to support the efficient and effective management of spousal support through the *Spousal Support Advisory Guidelines* (SSAG). The SFI also provides federal policy research and monitoring activities that assist the provinces and territories with understanding the issues faced by families experiencing separation and divorce in their populations.
- SFI *Investment* activities include federal funding for provincial and territorial activities, services and programs, and for the development and dissemination of legal education and information and training products related to the needs of families experiencing separation and divorce. Through the SFF, the SFI contributes to supporting and maintaining family justice services and programs administered by the provinces and territories that help parents meet their custody, access and support responsibilities. These programs and services include parent education, mediation, child support recalculation services and legal information services delivered through information centres. In addition, the SFI provides funding to

provinces and territories for the development and implementation of innovative or pilot projects to address a variety of issues. These include: improvements in technology that support access to services by parents in remote communities and implementation of innovative or pilot projects to address the needs of families facing high conflict separation and divorces. Funding is also provided to NGOs in the provinces and territories under the SFF to support the development and dissemination of PLEI. There are also investment activities that include the collection of national data from the MEPs and information on case activity as well as family court data through the Civil Court Survey (CCS).

Leadership, assistance and investment activities are intended to result in *outputs* which, when completed, result in the achievement of direct, intermediate and long-term outcomes. Each of these outputs and expected results are described below.

Partnership Reports and Plans: Federal leadership activities are intended to result in consultative and collaborative partnerships, as well as lead to the development of reports and policy on national family justice topics of concern and the establishment of priorities or work plans on family justice issues.

Federal Legislation & Policy, Reports, Federal, Provincial and Territorial Best Practices and Agreements: SFI Leadership activities are expected to lead to draft legislative and regulatory amendments to federal family law such as the *Divorce Act*, as well as policy development and best practice documents. Federal, provincial and territorial agreements to facilitate policy related to compliance for both access and support arrangements may also be produced.

Federal Enforcement Support and Tools: Federal assistance in the area of support enforcement includes the development, and improvement of systems and tools (e.g. software, linkages with federal databases and systems improvements) and other supporting materials to assist the provinces and territories in the delivery of efficient and effective enforcement services. Through the provision of federal enforcement support, federal moneys are made available to MEPs for garnishment purposes. Federal licences and passports can also be suspended at the request of a MEP.

Funding Agreements and Reports: SFI funding investments, in accordance with the SFI funding criteria are expected to result in bilateral federal funding agreements with the provinces and territories for family justice projects, programs and services.

Information Products: SFI funding investments are expected to result in a range of PLEI materials for families experiencing separation and divorce as well as information and training products for family justice professionals¹⁰ dealing with these families.

2.5.2. Direct Outcomes

Strengthened federal capacity to respond to and address needs of families experiencing separation and divorce

The outputs identified earlier are expected to contribute to a strengthened federal capacity to respond to the needs of families experiencing separation and divorce. Legislative and regulatory amendments, if passed and proclaimed, would help to better address the needs of these families. Policy development will also address identified gaps within the family justice system that hinder accessibility. Information service products and funding agreements with provinces and territories are important strategic levers for addressing access to justice issues, specifically, addressing gaps in services for different groups of parents experiencing separation and divorce. Improvements to various enforcement supports and tools are also expected to contribute to a strengthened federal capacity. Taken together, changes to the legislative and policy framework for family justice, project-level investments in family justice programs and services, improvements in operational processes and tools, and the maintenance of partnerships would strengthen the federal capacity to respond to the needs of families experiencing separation and divorce.

Efforts to support the family justice system in Canada involve both federal contributions (funding to support family justice services, and facilitation of enforcement and compliance activities), and provincial and territorial contributions (the provision and delivery of family justice services). The SFI rests on federal, provincial and territorial governments working together in the area of family justice.

Improved capacity in provinces and territories to provide and deliver family justice services

A strengthened federal capacity to respond to the needs of families experiencing separation and divorce is integrally linked to improving the capacity of the provinces and territories to provide and deliver family justice services. It is recognized that the federal SFI investment in family

¹⁰ Throughout this report the term “family justice professionals” refers to judges, and family lawyers and mediators.

justice services represents a portion of family justice expenditures at provincial and territorial levels. It remains an important mechanism to advance service improvements, by helping the provinces and territories address identified gaps that hinder accessibility to family justice programs and services, as related to provincial and territorial operational contexts.

2.5.3. Intermediate Outcomes

Enhanced awareness and understanding of parental obligations, compliance, and the family justice system

A range of shared federal, provincial and territorial activities contributes to the realization of this outcome. Federal investment in the delivery of family justice services such as parent education and mediation helps parents become aware of and understand their family obligations, the importance of complying with orders, and the family justice system in general. Providing information and other materials and supports for family justice professionals will also help parents with whom these professionals work, to become more aware of their responsibilities and understand the family justice system.

Expanded accessibility of custody/access, support and enforcement services

Federal SFI leadership, investment and assistance help to expand access to provincial and territorial services and supports. For example, federal investment contributes to ongoing provincial and territorial efforts to address linguistic, cultural and geographical, or other circumstantial barriers that make it difficult (or impossible) for parents to obtain the information they need about custody/access and support (both child and spousal).

Improved efficiency in enforcement supports and services

Federal investments in information technology and protocols, as well as other systems improvements help to increase the efficiency of enforcement supports and services. This involves improvements to tracing services, increasing the use of garnishment tools, and increasing the use of license and passport denials (where appropriate). Collaboration among federal, provincial and territorial partners to improve enforcement supports and services is key to realizing longer term family justice outcomes.

Enhanced capacity of parents to reach appropriate custody, access and support agreements

The first three intermediate outcomes collectively help to enhance the capacity of parents to reach appropriate custody, access and support agreements. Through work at the “front end” of the family justice system, such as parent education programs and better access to family law information and supports, families are better equipped to reach appropriate agreements. Expanded access to family justice materials (e.g., through technology and increased availability of family justice materials in languages other than English and French) help to bridge gaps in service, particularly among cultural and language minority groups, as well as those in geographically-isolated areas. Enhanced awareness and understanding of parental obligations related to family law, as well as in targeted areas of need, also contribute to increased compliance among parents who have gone through separation or divorce. Improvements to enforcement supports and services also help provinces and territories to better coordinate their work, including the transfer of information.

Enhanced ability of parents to comply with custody/access responsibilities and Increased parental compliance with financial support obligations

The program rationale is that the better informed and aware parents are, the more likely they will be to comply with their responsibilities and obligations. This will prevent family conflict, contribute to family well-being and help to ensure that children and families receive the financial support to which they are entitled.

2.5.4. Long-term Outcomes

Increased effectiveness of the family justice system in meeting the needs of families that are experiencing separation and divorce

An effective family justice system includes a focus on accessibility, efficiency, and fairness. By focusing on updating policy and legislation, increasing accessibility to family justice and promoting compliance with parental obligations, it is expected that the family justice system will be more effective in the long term and be better equipped to meet the needs of parents and their children. The SFI builds on past successes in improving the family justice system.

This outcome is linked with the broader strategic outcome of Justice Canada, which is: *A fair, relevant and accessible Canadian justice system*¹¹.

¹¹ In 2009 when the SFI was announced, the Justice Canada's first strategic outcome was: *to promote a fair, relevant, and accessible justice system that reflects Canadian values*. The Department has since revised this strategic outcome.

3. METHODOLOGY

3.1. Issues and Questions Addressed in the Evaluation

The five broad issues (see Table 2) addressed in the evaluation provide a framework for evaluating the direct, intermediate and long-term outcomes of the SFI.

Table 2. Evaluation Issues and Questions

Evaluation Issue	Evaluation Question
Relevance	
Continued Need for Program	To what extent does the SFI address the needs of Canadian families experiencing separation and divorce?
Alignment with Government Priorities	To what extent are SFI goals and objectives aligned with federal government and Justice Canada priorities?
Alignment with Federal Roles and Responsibilities	To what extent is the SFI aligned with the federal government’s roles and responsibilities in the area of family justice?
Performance	
Achievement of Expected Outcomes	To what extent has the SFI made progress toward strengthened federal capacity to respond/address needs of families experiencing separation and divorce?
	To what extent has the SFI made progress toward improved capacity in provinces and territories to provide and deliver family justice services?
	To what extent has the SFI made progress toward expanded accessibility of family justice programs and services?
	To what extent has SFI made progress toward enhanced awareness and understanding of parental obligations, compliance, and the family justice system?
	To what extent has the SFI made progress toward improved efficiency in enforcement tools and services?
	To what extent has the SFI made progress toward enhanced capacity of parents to reach appropriate custody, access and support agreements?
	To what extent has the SFI made progress toward enhanced ability of parents to comply with custody/access responsibilities?
	To what extent has the SFI made progress toward increased parental compliance with financial support obligations?

Evaluation Issue	Evaluation Question
	To what extent has the SFI made progress toward increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce?
Demonstration of Efficiency and Economy	Has the SFI's resource utilization been appropriate in relation to the activities and outputs produced and its progress toward expected outcomes?

3.2. Approach

The evaluation methodology consisted of multiple lines of evidence including: a document and data review, key informant interviews, surveys, case studies and a file review. Triangulation of these multiple sources of data was used to verify and validate the findings and to arrive at the evaluation conclusions.

Document & data review

This review included both internal and publicly-available documents. More specifically, the review included: FCY administrative data; departmental communications statistics; enforcement reports and data; committee minutes and planning documents; FLAS statistics; best practice documents; memorandums of understanding; number of secondary research studies; Statistics Canada data; and exit survey data from parent education programs, mediation programs and train-the-trainer high conflict family justice professional training events.¹²

Key informant interviews

The key informant interviews conducted for this evaluation addressed the majority of the evaluation questions and are a key line of evidence. Thirty-five key informant interviews were conducted by telephone. These included both individual and telephone group interviews using interview guides tailored to each respondent group. The interviews included 13 judges with

¹² Data from three sets of exit surveys provide feedback on the participants' experience in a particular program or training event. The results of these surveys were included in the document review. This data included 6,600 surveys of parents/family members who had attended a Parent Education Program between 2009-2013 in one of the six participating jurisdictions (Alberta, Saskatchewan, New Brunswick, Prince Edward Island, Newfoundland and Labrador, and Yukon). It also included 414 surveys of parents who had attended a mediation program between 2010-2012 from one of the six participating jurisdictions (Alberta, Saskatchewan, Manitoba, New Brunswick, Prince Edward Island, and Newfoundland and Labrador). Finally, 367 exit surveys were also included from participants who had who attended one of the train the trainer high conflict family justice professional training sessions delivered across the country between 2011 and 2013.

extensive experience in the family justice system and 22 individual and group interviews with 39 federal, provincial and territorial family justice and maintenance enforcement program representatives. These included all the provinces and territories, all FCY units, the Communications Section of Justice Canada and the CCJS at Statistics Canada.

Family lawyer/mediator survey & interviews

A web-based survey of practising family and divorce lawyers and mediators was conducted in May and June of 2013. Survey involvement was voluntary and included 667 participants: 18% were family mediators; 57% were family lawyers; 20% were family lawyers who mediate; and 6% were others who answered the survey including program administrators, judges and social workers with family justice responsibilities. From the initial survey, 33 respondents self-selected to participate in a follow-up telephone interview to address some topics in more depth.

National parent surveys

Two national parent surveys were included in the evaluation. The national SFI Parent Survey was conducted between 2012 and 2013 involving telephone interviews with 1,200 parents in ten jurisdictions¹³ about their custody access needs, agreements, trajectory of agreements, compliance levels and problems, and participation in family justice services such as mediation and parent education. Survey respondents were selected from research consent forms distributed by the provinces and territories in parent education and mediation programs.

A second national parent survey was commissioned by FCY in 2010 involving 1037 separated/divorced parents whose union had dissolved in the period 2003-2010. Survey data focused on arrangements for children (living, decision-making and financial support), the inter-parental relationship and other variables focused on the post-separation/divorce family.

Case studies

Twenty-four case studies of SFF projects were undertaken as part of the evaluation. The case studies involved a review of SFF contribution agreements, as well as telephone and in-person interviews with the programs to assess how the projects or services assisted families and contributed to increasing the effectiveness/responsiveness of the family justice system.

¹³ Quebec, Northwest Territories and Nunavut did not participate in the SFI Parent Survey

Focus groups

In preparation for the evaluation, 12 focus groups were held with 70 parents in six jurisdictions¹⁴. The purpose of the focus groups was to obtain feedback on the needs of parents and explore potential outcomes of the various family justice services in which they participated.

File review

SFF grants and contributions information on file was reviewed for the evaluation using templates to ensure systematic extraction, aggregation and analysis in an inter-relational database.

Program files from three components of the SFF were analyzed: the Family Justice Initiative (FJI) which contributes to a range of projects and activities in the provinces and territories; the Pilot Projects component, which supports one time provincial and territorial innovative pilot projects; and the PLEI and Professional Training component which provides funding for projects coordinated by NGOs. Results from the SFF analysis included all funding provided through the SFF between 2009 and 2012 to ensure that all reported data was final.

3.3. Limitations

The evaluation encountered a few challenges and limitations, including reliance on jurisdictional representation, differences in how data is collected and reported, difficulties in assessing both impacts of social programs and policy in general.

Jurisdictional representation

Given the absence of reliable data on the overall population of family lawyers or family mediators in most jurisdictions, it was not possible to ensure jurisdictional representation in the family lawyer/mediator web survey. Also for the exit surveys and the SFI Parent Survey, three jurisdictions¹⁵ did not participate so these results are not fully national in representation.

¹⁴ Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia and Yukon

¹⁵ Quebec, Northwest Territories and Nunavut did not participate in the SFI Parent Survey and the mediation and parent education program exit surveys

Differences in how data is collected and reported

The review of SFF grants and contributions¹⁶ files was challenging in many aspects as there was no consistent definition of a project to ensure the systematic categorization or aggregation of the data. Although a template for provincial and territorial reporting was developed through provincial and territorial collaboration, activities were still reported in different ways. Some applications or reporting documents identified a single larger activity title and dollar amount, while others broke down activity titles and dollar amounts into smaller units. There was a more consistent definition of project under the other components of the SFF (Pilot Projects and PLEI and Professional Training) that allowed for systematic categorization and aggregation of data. The categorization of data into smaller components was required to achieve consistency in how the projects were described. Although a template was used for the evaluation to systematically aggregate and analyze the data, it could not address all the variability found in the file documents and judgment was used to determine the most appropriate categorization of data to address the outcomes of the SFI.

Difficulties assessing impacts of social programs and policy

A significant part of the FCY activity is related to policy initiatives. In general, this type of activity is difficult to assess in quantitative terms. Rather, it is reflected in particular contexts such as CCSO-FJ activity or the discussion of legislation.

As with many social programs, attributing results to an intervention can be difficult. Families experiencing separation and divorce use a variety of resources to assist them and, in some cases, involvement in SFI funded activities such as parent education, although valuable, are of a short duration and other factors may ultimately outweigh the benefits. It should also be noted that results from parent surveys and research literature have concluded that factors such as the levels of parent conflict and cooperation are the most significant contributors to parental compliance with custody, access and support and that these are primarily influenced by personal/interpersonal characteristics and communication styles. High conflict parents have complex and pre-existing needs that may be beyond the scope of many existing services to address.

¹⁶ The FJI component of the SFF only

In addition, the time frame for the follow-up with parents in the SFI Parent Survey was limited. All the respondents had been involved in an SFI supported service within the previous three years.

Mitigation Strategy

Several mitigation strategies were used to address these issues. The use of data extraction templates provided a consistent and systematic framework for the extraction and analysis of SFF file data despite the challenges previously described.

The ability to attribute federal, provincial and territorial outcomes directly to the SFI was partially addressed through surveys and interviews with representatives and family justice professionals to qualitatively assess the impact of the SFI directly on the behaviour and attitudes of parents. Parent opinion was collected through several lines of evidence and particularly in relation to a national parent survey conducted for the evaluation which consisted of 1,200 parents in ten provinces and territories. Exit surveys were also used to collect parent opinion on the impact of parent education and mediation programs.

The expansion of the family lawyer/mediator web survey (to 667 participants, from an original target of 250) allowed for a greater sampling of this group and more jurisdictional representation.

The use of multiple data sources allowed for the triangulation of findings to more clearly define areas of consensus. This strengthened the conclusions arising from the findings.

4. KEY FINDINGS

This section combines information from all lines of evidence and presents the findings according to the broad evaluation issues of relevance and performance.

4.1. Relevance

The evaluation considered the continued relevance of the SFI with respect to the specific needs of Canadian families experiencing separation and divorce, federal government priorities and the alignment with federal roles and responsibilities. The following section outlines the results of this analysis.

4.1.1. Continued Need for the SFI

Overview of Canadian families experiencing separation and divorce

Literature and recent data from Statistics Canada indicate that although the level of divorce in Canada has remained stable in the last two decades (approximately 21.1 divorces per 10,000 in the population) new patterns of separation and divorce have emerged as a result of recent societal changes. These include the growing diversity of Canada's population, diversity of family structure and mobility of families. Also, there is an increase in the number of self-represented litigants (SRLs) in the family justice system, which underscores the continuing need for a national family justice initiative such as the SFI.

The growing diversity in Canada's population indicates that there is a need for family law information and services that reflect the needs of a wider range of cultural and linguistic backgrounds to respond to families experiencing separation and divorce. This includes the need for information for new Canadians who may not be fully aware of their family rights and responsibilities under Canadian law.

The structure of Canadian families has undergone changes in the past few decades with a higher occurrence of same-sex and common-law unions taking place; more participation of fathers in

parenting arrangements after separation; and a rise in the divorce rates among men and women over 50 (so-called “grey divorces”). Canadian families also continue to be mobile, which adds to legal complexities when couples separate.

Findings from family justice research literature indicate that family breakdown can potentially lead to multiple adjustment, behavioural, psychological, health and mental health consequences for children and parents. Economic losses are more likely to be experienced by women. It is estimated that 10-20% of separated parents may exhibit longer-term, more intransigent conflict after separation, which would have prolonged, deleterious impacts on children.¹⁷

The breakdown of family relationships can lead to multiple civil law problems for family members (e.g. debt and consumer problems) leading to a greater demand on criminal and civil justice and social welfare systems.¹⁸ Lone-parent families also experience higher rates of poverty than other families and shoulder much higher debt burdens.¹⁹

Family law cases make up a significant component of the civil court system. In 2009/10 family law cases accounted for just over 35% of all civil court cases in the seven reporting provinces and territories²⁰ reporting to the CCS. Divorce and other family-breakdown cases involving children (particularly with access and child support issues) remain in the family court longer than cases without issues involving children; 32% of divorce cases involving both access and support issues remained in the family court system for at least four years. Family breakdown cases involving access issues also involve a higher number of court events than those involving only custody or child support issues (e.g. pre-trial hearings and adjournments).²¹ Divorce cases involve various events²² and activities connected to court documents, adjournments and hearings. By providing alternatives to court processes, families can seek options that would resolve their issues faster, as well as divert a set of cases that would otherwise consume court resources. The SFI supports several alternatives to court processes including; funding for family justice services

¹⁷ Currie, J. (2006) A summary of the key impacts of consequences of separation and divorce.

¹⁸ Currie, Ab. (2009) Legal Problems of Everyday Life: The Nature, Extent & Consequences of Justiciable Problems by Canadians. Research & Statistics, Justice Canada.

¹⁹ Hurst, Matt. (2011) Debt & Family Type in Canada. Statistics Canada.

²⁰ The Provinces and territories included in the survey were British Columbia, Alberta, Ontario, Nova Scotia, Yukon, Northwest Territories and Nunavut.

²¹ Family Court Cases involving child custody, access and support arrangements 2009-10. Juristat Statistics Canada (2009-10).

²² On average there were a total of 9 events per case during the year for all divorce cases in 2010/11 in the seven provinces and territories. For contested cases there was an average of 18 events per case compared to seven events per case for uncontested cases.

such as mediation and recalculation; development of tools for determining support and developing agreements; and the development and distribution of PLEI materials.

A recent Canadian study reveals a rise in the number of SRLs in family matters (between 40-60% in some jurisdictions).²³ For some it is a monetary issue and the inability to afford a lawyer, but for many others, it is a conscious choice to represent themselves. The rise in the number of SRLs presents issues for the family justice system as a whole, from counter staff, to lawyers and judges.

Specific needs: access to information

The Action Committee on Access to Justice in Civil and Family Matters stressed the need for change to make the justice system more accessible. It highlighted the need to provide more information and a single-point of entry.²⁴ The SFI helps in both of these areas by providing PLEI²⁵ and by providing services such as family law information centers.

Federal, provincial and territorial representatives and family justice professionals indicate that the primary need of families experiencing separation and divorce is for access to early, timely, factual and practical information about the family justice system and out-of-court options, such as mediation, for resolving family issues and developing custody, access and support agreements and arrangements.

This is consistent with findings from a 2010 national survey²⁶ of family lawyers and judges, which indicated that a majority believed their clients to be either somewhat or not at all informed about most family justice legal issues. Respondents were also asked if there was a need for additional PLEI materials in their jurisdiction to meet the needs of the cultural minorities, linguistic minorities or other groups that make up their client base. Just under half of the 253 respondents indicated that there was a need when it comes to cultural minorities, compared to the third for linguistic minorities, and the quarter for other groups.

²³ Macfarlane, J. (2013) The National Self-Represented Litigants Project: Identifying and Meeting the Needs of Self-Represented Litigants.

²⁴ Action Committee on Access to Justice in Civil and Family Matters (2013). Access to Civil and Family Justice: A Roadmap for Change.

²⁵ PLEI is developed both at the federal level and by NGOs.

²⁶ National Family Law Program Survey (2010)

Federal, provincial and territorial representatives and family justice professionals interviewed during the evaluation also identified the need for access to additional PLEI for families with distinctive information needs including First Nations people, as well as those from cultural or linguistic minority backgrounds, and from geographically isolated and remote communities.

Specific needs: access to family justice services

The report of the Action Committee on Access to Justice in Civil and Family Matters, also made a number of recommendations related to the provision of family justice services based on its review and examination of issues relating to parties seeking to resolve their disputes. The CCSO-FJ has also made a business case emphasizing the need for continuity of services and programs by federal, provincial and territorial governments to support separating and divorcing clients of the family justice system, and advocating for sustained, long-term funding from the federal government to help the provinces and territories maintain and continuously improve the delivery of these services.

Federal, provincial and territorial representatives and judges identified a need for triage and screening services at service entry to better determine family needs and identify the most effective services to address these needs. High conflict and complex family justice cases place significant resource demands on the courts, programs and services. Family justice professionals also noted that legal information was not sufficient for some families. Although, outside the scope of the SFI, they identified the value of providing limited, timely and free legal advice for SRLs who need assistance at key points to move their cases along. Also family lawyers and mediators indicated access to mediation in a timely manner after separation was a priority.

Judges also identified a need for more supervised access services, and a wider distribution of services such as mediation in the jurisdictions. This conclusion was consistent with that of federal, provincial and territorial representatives who indicated the need for more balanced and equitable delivery of programs and services in all the jurisdictions.

The SFI has funded a number of pilot projects in the provinces and territories to address the specific needs for triage and screening services, services for high conflict families, and the wider geographical distribution of PLEI and family justice services. For example:

- Distance Family Mediation Pilot Project in British Columbia;
- Screening Tool for Supervised Access and Exchange Services: Supervised Visitation Checklist and Family Law Information Program For Aboriginal People in Ontario;

- Family Justice Services for High Conflict Families in the Yukon and Nova Scotia; and
- Differential Response to Conflict Assessment and Access to Family Law on-line in Nova Scotia.

Specific needs: accurate reliable national data

Statistics Canada is no longer reporting national data on marriage and divorce on an annual basis. This has an impact on the ability of all levels of government and the non-profit sector to assess changing patterns of separation and divorce, to track emerging trends or plan and measure the effectiveness of responses to meet the needs of families.

The CCSO-FJ has recognized the need for national data and research in the area of family justice as one of its strategic priorities. FCY provides funding to CCJS through the SFI for the implementation and reporting of two national family justice surveys (the CCS and the Survey of Maintenance Enforcement Programs (SMEP)), which provide a national perspective on families experiencing separation and divorce.

4.1.2. Alignment with Government Priorities

The SFI activities, outputs and the ultimate outcome for this Initiative are fully aligned with Justice Canada's strategic outcome of a *fair, relevant and accessible Canadian justice system*. Over 90% of federal, provincial and territorial representatives indicated that the goals and objectives of the SFI were aligned with the strategic priorities of Justice Canada.

The comprehensive leadership, assistance and investment activities undertaken by the SFI are also aligned with the federal government commitment *to ensure that Canadian families experiencing separation and divorce will continue to be well served*.²⁷

The SFI also supports activities, programs and services directed towards assisting parents to comply with their custody, access and support obligations, which is aligned with the federal government priority *to build a stronger society that promotes respect for the law*.²⁸ All of the

²⁷ Department of Justice (September 6, 2008). New Initiative to Support Families Experiencing Separation and Divorce (News Release).

²⁸ Government of Canada. Speech From the Throne, April 4, 2006.

federal, provincial and territorial representatives interviewed for the evaluation felt that the SFI had contributed to meeting this objective.

4.1.3. Alignment with Federal Roles and Responsibilities

The federal government through the SFI implements leadership, assistance and investment activities that reflect the federal government's mandate and responsibilities in the family justice system.

Family law in Canada is an area of shared jurisdiction between the federal and provincial and territorial governments, as a result of the distribution of legislative powers under the *Constitution Act, 1867*. The federal government has exclusive jurisdiction in the area of divorce. It exercises that jurisdiction through the *Divorce Act* which includes provisions dealing with corollary relief (child and spousal support, custody and access), the CRDP, and the designation of child support recalculation services. The provinces and territories have jurisdiction over matters related to the separation of unmarried couples as well as support, custody and access where no divorce is sought. The federal government has an important role in the development of family law (advancing access to justice) nationally and internationally through participation in international meetings and conferences of organizations such as the International Heads of Child Support Agencies, the U.S. National Child Support Enforcement Association and the Organization of American States.

Enforcement of support obligations is primarily a provincial and territorial responsibility; however, the federal government provides assistance to provinces and territories in their enforcement activities including tools and funding to support the enforcement of family support orders and agreements. This includes services provided under FOAEAA and GAPDA. FOAEAA provides the authority for the tracing and locating of support debtors using federal information banks, intercepting federal moneys to satisfy family support obligations and the denial of federal licences and passports to compel compliance. GAPDA provides for the garnishment of federal salaries and other forms of remuneration, including the diversion of pension benefits to meet the terms of support orders and agreements.

Through contributions made under the SFF, the federal government plays a significant role in supporting ongoing quality improvement and innovation of family justice services and programs directly administered by the provinces and territories. The SFF provides contribution funding to support programs such as parent education programs, mediation, child support recalculation,

services for children, technological improvements of enforcement systems, the development of family law education and information centres and resources, and family justice research, policy and evaluation initiatives.

Through the SFI, the federal government also plays a role in advancing policy in the area of family law which fosters federal, provincial and territorial collaboration as well as the identification of best practices and research.

Although the role and mandate of the federal government are distinct from those of the provinces and territories, the different governments work together within a clearly defined structure of collaboration. This ensures that the SFI contributes to addressing issues of access to justice and parental compliance with custody, access and support obligations, to help mitigate the negative effects of separation and divorce and to ensure that the best interests of the child remain at the heart of family justice.

4.2. Performance: Achievement of Expected Outcomes (Effectiveness)

The leadership, investment and assistance activities undertaken by FCY through the SFI are ultimately expected to result in increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce. The following section outlines the extent to which the SFI direct and intermediate outcomes have been achieved and the impact they have had on realizing this long-term outcome.

4.2.1. Federal, Provincial and Territorial Capacity

A strengthened federal capacity to respond to the needs of families experiencing separation and divorce is integrally linked to improving the capacity of the provinces and territories to provide and deliver family justice services.

All of the federal, provincial and territorial representatives involved in the evaluation indicated that SFI activities have strengthened federal capacity to address the needs of families. Activities considered to best meet this objective were: providing contribution funding through the SFF to improve enforcement systems; supporting the gathering and dissemination of national enforcement data through two national surveys (the CCS and the SMEP); ensuring PLEI is available on the Justice Canada website and in printed documents including *The Federal Child*

Support Guidelines: Step-by-Step; and providing leadership through the FCY in terms of collaboration and partnership-building with the provinces and territories.

The SFI has also enhanced the capacity of the provinces and territories to provide and deliver family justice services that meet the needs of families experiencing separation and divorce. This has occurred through: the provision of federal contributions to support family justice services and programs in the provinces and territories; federal, provincial and territorial collaboration and partnership building that strengthen program and policy development; and the provision of enforcement tools and support that assist the provinces and territories in their custody/ access and support enforcement related activities.

Federal, provincial and territorial collaboration and partnership

The SFI has made progress towards strengthened federal capacity to respond to and address the needs of families through activities that include: leadership and coordination at the federal and international levels (ongoing support to negotiations including the Hague Conference, UN and Council of Europe); research analysis and provision of monitoring tools; policy development and guidance; the development and dissemination of PLEI products by FCY; the provision of tools and funding that encourage compliance and facilitate enforcement; and the SFI's role in the development of two national surveys covering the civil courts in Canada, and maintenance enforcement programs in Canada. However, the lack of federal legislative amendments during the Initiative has limited federal capacity to address some needs including improving and expanding tracing tools and adding additional federal licences that could be suspended.

FCY also supports federal, provincial and territorial collaboration and partnership building through the CCSO-FJ, its three sub-committees (Enforcement, Inter-jurisdictional Support and Research) and working groups. The work of these committees includes partnership building, information exchange, collaboration on projects that guides program and policy development, policy discussions and the harmonization of research efforts to enhance national information. The needs of families identified at the committee or working group levels also identify funding priorities that can be addressed through the SFF.

The leadership role FCY has played in supporting collaboration and partnership building related to family justice was particularly valued by all provincial and territorial representatives who indicated that FCY has managed this role both efficiently and effectively. The general discussions and exchange of information between the jurisdictions that have taken place at face-to-face meetings and via teleconferences, the CCSO-FJ and cross-jurisdiction committee work

on enforcement, research and policy initiatives undertaken at the federal level, and the access to federal enforcement support and collaboration with respect to enforcement tools were the activities identified as having had the most impact on strengthening the role of the federal government. Some provincial and territorial representatives indicated the FCY's encouragement of joint projects between the provinces and territories also strengthened the federal role in meeting the needs of families experiencing separation and divorce.

Federal legislation and policy development

Concerns were expressed by some family justice professionals that federal legislation has not kept pace with the evolving needs of parents or with legislative changes in the provinces and territories. It was noted that many jurisdictions have already proceeded with amendments to their own legislation to improve and update their family law statutes.

Family lawyers and mediators also indicated that federal terminology for custody and access was outdated and no longer aligned with the key objectives of reducing conflict and promoting collaboration. Some jurisdictions have taken the lead in moving away from these and have adopted parenting order terminology. There are many other areas where legislative reforms are called for by the provinces and territories or by the legal community. Some of these include dealing with relocation, providing more effective processes for child support recalculation services and providing additional federal information sources to improve support enforcement tools.

A number of amendments to the *Divorce Act*, FOAEAA and GAPDA have been identified to respond to issues that have been raised. For example, the *Divorce Act* requires amendments to simplify the current two-step process for varying inter-jurisdictional support orders (ISO). FOAEAA and GAPDA require amendments to improve the efficiency and effectiveness of enforcement services. These and other legislative amendments are necessary as they address issues that cannot be dealt with through regulations and other policy instruments.

Although FCY was not able to have any legislative amendments tabled under the SFI²⁹, a number of regulatory amendments were made and several legal challenges to the *Divorce Act* and

²⁹ The *Divorce Act*, FOAEAA and GAPDA have not been amended since 1997. Although moving ahead with family justice reform has been a long-standing interest, the ability to advance legislative amendments is beyond the control of FCY. Attempts to amend these Acts were included in Bill C-22 in the previous initiative. Amendments also proposed terminology based on parental responsibilities and parenting order rather than

FOAEAA were successfully defended. FCY also assisted other divisions of Justice Canada and/or other government departments in relation to Bill C-44, *An Act to amend the Canada Labour Code and the Employment Insurance Act*; Bill C-299, *An Act to amend the Criminal Code* (in regard to the kidnapping of young persons); and Bill C-350, *An Act to amend the Corrections and Conditional Release Act* (in regard to accountability of offenders). FCY has also helped provinces and territories develop their own legislation or regulations, for example, to help establish child support recalculation services.

The development of the SSAG³⁰ is another example of a FCY-led initiative that has enhanced federal capacity to address the needs of families experiencing separation and divorce. They are informal guidelines (not legislated) that operate on an advisory basis only. They were intended to assist lawyers, mediators and judges in determining the amount and duration of spousal support within the existing legal framework of the *Divorce Act* and the common law. Although the SSAG was developed in 2008, the FCY has continued to work on post development activities related to implementation.

A Justice Canada study involving key family justice stakeholders found that the guidelines help to reduce conflict and encourages settlement of spousal support which is likely to reduce the number of cases going to court. The approach to spousal support amounts is generally being used in the jurisdictions and applied in cases both with and without judicial involvement. There was also a perception by family law lawyers that the SAAG have reduced the cost and increased the efficiency of determining spousal support awards.

During the initiative, a number of research and best practice documents on support enforcement were prepared with input from all provinces and territories. The sharing of information, handbooks, and best practices has also strengthened the capacity of the provinces and territories to meet the needs of families in the area of child support.

custody and access. The amendments to FOAEAA and GAPDA were intended to provide better tools for locating payors. Bill C-22 (December 12, 2002) died on the Order Paper in 2003 and 2005.

³⁰ The SSAG project was undertaken by Justice Canada to address a concern, expressed by lawyers and judges, that the discretionary nature of the law of spousal support had created an unacceptable degree of uncertainty. These guidelines were prepared under the direction of two law professors with the support of the Department.

Research activities

National data and research in the area of family justice are one of the main priorities identified by the CCSO-FJ. FCY actively addresses this priority; through SFF contribution agreements with provinces and territories that include support of research activities; development of data summaries and reports for use by the provinces and territories; and through partnership with the CCJS. The CCJS is responsible for the development and establishment of two national family law information surveys: the CCS³¹ which tracks cases and case activity in the civil and family courts and the SMEP³² which tracks activities and outcomes of cases in MEPs. FCY has provided support through a transfer of SFI dollars to CCJS for each year of the Initiative to undertake a number of activities related to these two national surveys including: collection and processing of monthly data from reporting jurisdictions, analysis of data quality and reporting, regular development and maintenance of the survey processing system, and facilitating the participation of new jurisdictions in the surveys³³ including development, testing and implementation of, and updating and maintaining survey interfaces.

Since 2009, CCJS has facilitated the participation of one additional province in the regular collection of data for each of the two national surveys (CCS and SMEP) and has compiled data from these surveys to update family law CANSIM³⁴ tables and to publish eight Juristat articles (including *Payment Patterns of Child and Spousal Support* and *Divorce Cases in Civil Court, 2010/2011*). The Juristats and CANSIM tables, which are publicly available, can help increase awareness of current trends in the area of family justice. FCY has also used this new data to develop a number of research summaries to inform their work in CCSO-FJ sub-committees. National survey data prioritized by the SFI in collaboration with the provinces and territories enhances planning and evaluation capacity and is fundamental to understanding the needs of families. This encompasses the CCJS surveys, as well as ad hoc FCY efforts to address

³¹ The CCS develops and maintains a national database of statistical information on civil court events and cases. It is intended to collect comparable, national level data on civil courtroom activities in Canada.

³² The Maintenance Enforcement Survey collects statistical and descriptive information on child and spousal support payments and cases from MEPs. The Maintenance Enforcement Survey is being phased into the SMEP, with the objective of having a national database of micro-data including payment information on each case enrolled in a MEP.

³³ The coverage of SMEP is low (21%) due to the lack of involvement of key jurisdictions. The participation rate for the Civil Court Survey is 68%; however, some jurisdictions still lack the technological capacity to report their data.

³⁴ CANSIM is Statistics Canada's key socioeconomic database. Updated daily, CANSIM provides fast and easy access to a large range of the latest statistics available in Canada.

information gaps. In the absence of national marriage and divorce statistics being reported by Statistics Canada, the partnership with CCJS to collect national family law data through these two surveys is even more crucial.

Federal public legal education and information

The SFI has enhanced the capacity of the federal government to meet the needs of families experiencing separation and divorce by developing and disseminating PLEI products (online and hard copy). These include interactive tools such as the child support online lookup, a children's calendar, and two parenting tools developed by the FCY to help parents make decisions and build a parenting plan for their children. Additionally, the main child support publication, *The Federal Child Support Guidelines: Step-by-Step*, is being updated and the database of family justice services, the *Inventory of Government-Based Family Justice Services* has also been updated on an annual basis.

Almost 235,000 hardcopies of federal PLEI publications outlining procedures related to separation and divorce were distributed during the SFI (2009-2013). These included: *What Happens Next: Information for Kids about Separation and Divorce* (123,309 copies distributed), *The Federal Child Support Guidelines: Step-by-Step* (67,031 copies distributed) and *Divorce Questions & Answers* (44,613 distributed). To increase their accessibility, these documents were also made available electronically on the Justice Canada Website (justice.gc.ca). In 2012 alone, an additional 1,027,335 copies of these documents were downloaded (including 772,893 copies of *Divorce Law Questions & Answers*, 241,146 copies of *The Federal Child Support Guidelines: Step-by-Step* and 13,296 copies of *What Happens Next: Information for Kids about Separation and Divorce*).

Also in 2012-13, there were 1,201,757 visits to the family law sections of the Justice Canada website. This accounts for 41% of all visits to the website during this period making family law the most visited content on the Justice Canada website. It also had the most frequent family law downloads in 2012-13: *Divorce Law Questions & Answers* (475,699), *SSAG* (140,778) and *The Federal Child Support Guidelines: Step-by-Step* (71,317). In the summer of 2013, *Making Plans*, a guide for parents, and the *Parenting Plan Tool* were two new products added to the Justice Canada website. Feedback through a web survey has been positive with regards to the content and usefulness of these new products in understanding and creating a parenting plan.

In addition to the federal PLEI products, Justice Canada provides general legal information by telephone through the Family Justice Information Line,³⁵ which received a total of 17,394 family justice information requests between 2009 and 2013. The Automated Interactive Voice Response Line operated by FLAS provides important information to debtors about the status of their federal garnishment. This line receives approximately 5,500-6,500 calls per month indicating a sustained level of use by parents who require this information.

Supporting Families Fund

Through the SFF, the SFI provides financial support to provincial and territorial governments for the provision of family justice services with the average federal share of total federal, provincial and territorial contributions to family justice services being 20%. This number ranges however, from 6% to 70% depending on the jurisdiction. Smaller jurisdictions are more reliant on the contributions from the SFF. In eight of the provinces and territories, federal contributions represent over 40% of funding directed to family justice services, reflecting the importance of this federal assistance. Funding is also provided to NGOs for developing family law PLEI and training resources.

Over a three-year period (2009-2012), 100% of the SFF was allocated and 99.3%³⁶ (\$47,655,249) was expended on various provincial and territorial FJI and Pilot Projects as well as PLEI projects delivered by NGOs. For this evaluation, SFF expenditures for these activities and projects were linked to the achievement of SFI outcomes. It is important to note that more than one outcome can be achieved by the same dollar expended and if totaled the individual percentages will exceed 100%.

³⁵ The Family Justice Information Line is operated by the Justice Canada Communications Branch with SFI funding.

³⁶ Federal contributions can fulfill several objectives at the same time. Each year under the SFF, \$15 million is allocated to provinces and territories under the FJI component, \$500,000 is allocated to provinces and territories for their pilot projects and \$500,000 is allocated to NGOs for their PLEI and professional training projects for a total of \$16 million. Between 2009 and 2012, 100% of the SFF resources were allocated and 99.3% or \$47,655,249 was expended. This comprises \$44,932,008 expended on provincial and territorial FJI, \$1,170,402 for provincial and territorial pilot projects and \$1,552,839 for PLEI projects administered by NGOs. Although many of the PLEI and pilot projects continued into 2013-14, only expenditures for 2009-12 are included. Since final reporting of all expenditures is not received until the end of the project, the amount expended could be higher.

Between 2009 and 2012, 14.6%³⁷ of the SFF was directed towards activities and projects that helped strengthen the federal capacity. This included funding for: the provinces and territories to send a representative to CCSO-FJ sub-committees (Research, Enforcement and ISO) in-person meetings to coordinate SFI funded activities; programs and services in the jurisdictions; and resources to conduct research and planning to improve services.

A SFF funded pilot project that helped to enhance federal capacity involved identifying issues that have arisen in both Canada and internationally regarding the voice of the child as heard in family law proceedings. This project identified best practices that can be utilized in all the jurisdictions that are considering mechanisms to involve children in family proceedings. The project also involved an international policy component as consultations were conducted with international partners at the 5th World Congress on Family Law and Children's Right in 2009.

During this same period, 75.9%³⁸ of the SFF was directed to enhancing provincial and territorial capacity in the family justice area through the funding of provincial and territorial FJI activities, Pilot Projects and PLEI projects. These activities included the delivery of family justice services such as parent education and mediation programs, training programs for family law professionals, and the provision of enforcement tools and systems maintenance that assist the provinces and territories in their enforcement related activities.

An example of an activity funded under the SFF that has helped to enhance capacity in the provinces and territories is a pilot project that involved a customization/adaptation of the New Brunswick MEP for use in Prince Edward Island. A review of the contribution file indicated that this joint project led to increased efficiencies in closing cases, increased collections of payments and the streamlining of the enforcement process. Cost savings resulting from the adaptation of the enforcement model to Prince Edward Island were substantial.

Another innovative project funded under the SFF³⁹ and reviewed as a case study for the evaluation involved updating ISO guides and an online interactive video that provides information to parents and family justice professionals on ISO. Since 12% of support orders in Canada are inter-jurisdictional in nature, this project constitutes an important contribution to the provinces and territories. It also enhances their ability to achieve support compliance related to ISO by making information available to parents and family justice professionals.

³⁷ This does not include the provincial and territorial pilot projects and PLEI projects administered by NGOs.

³⁸ This does not include the provincial and territorial pilot projects and PLEI projects administered by NGOs.

³⁹ This project has not been finalized as the forms are still being revised at the provincial level.

The SFI has also enhanced the capacity of the provinces and territories to address the needs of families by providing training and resource materials to family justice professionals who work with families experiencing separation and divorce. Training has been made available for mediators and family justice professionals working with high conflict parents, those involved with supervised access, enforcement and other family justice services.

The *High Conflict Train the Trainer* multi-year project, a pilot project funded under SFI, is an example of how providing training to family justice professionals enhanced the capacity of provinces and territories to best meet the needs of families experiencing separation and divorce. This project was developed with input from FCY and the CCSO-FJ Research Sub-Committee. This training program enhanced the skills of family justice professionals working with high conflict parents. Two training sessions were held in each of the participating provinces and territories. It was intended that participants in the training would go on to provide training and expertise to other family justice professionals in their jurisdictions although the degree to which this occurred has not yet been assessed. The results of pre- and post- exit surveys indicated that the training increased the skill base and knowledge level required for all participants in terms of understanding the characteristics, needs, appropriate screening tools and responses to high conflict parents in the justice system.

Funding to produce legal information products was also provided through the SFF often to community-based non-profit organizations in the jurisdictions. One such PLEI project, involved the delivery of family law information sessions to parents and family justice professionals in rural and remote communities across Newfoundland and Labrador. These sessions provided information on the family justice system and options for achieving custody, access and support compliance. First Nations and remote communities were a major target group of this project.

Ninety percent of federal, provincial and territorial representatives indicated that the SFI had strengthened the capacity of the provinces and territories to provide family justice services. The components of the SFI that were considered to be most effective in meeting this outcome included the SFF contribution funding, research, enforcement support activities and funding for collaboration and information sharing at the federal level through committees such as the CCSO-FJ.

Although concerns were raised regarding the amount of funding, the SFF was considered essential by provincial and territorial representatives to providing the services and programs in their jurisdictions that meet the basic needs of families experiencing separation or divorce;

leveraging existing family justice funding to develop more effective family justice services; or testing and improving innovative approaches to assist families.

All of the provinces and territories stated that the SFI has helped them expand or at least maintain the level of family justice services in their jurisdictions during the past five years. For eight of the jurisdictions, federal contributions provide more than 40% of the funding for family justice services. These represented smaller jurisdictions as well as larger jurisdictions where there is a concentration of services in a specific area (e.g. mediation). In these jurisdictions the SFI is seen as essential in maintaining a basic level of services to meet the needs of parents experiencing separation and divorce.

Support enforcement

The SFI also supports the development, improvement and application of support enforcement tools that strengthen federal, provincial and territorial capacity in the area of support enforcement. Funding, policy development, regulatory amendments, renegotiation of agreements and research activities have contributed to improvements and efficiencies in the application of enforcement tools under FOAEAA and GAPDA. This is despite the lack of amendments to these Acts during the Initiative.

The enforcement activities undertaken by FCY also made an increasingly important contribution to the potential reach of enforcement in the provinces and territories. This is reflected in the increasing number of tracing applications to the federal government (averaging 20,000 – 25,000 per year between 2008 and 2011 and increasing to over 35,000 by 2012) and in the number of garnishment activities resulting in funds (an increase of 31% between 2009-10 and 2012-13). In 2012-13, 10,595 valid applications for the denial or suspension of licences were processed, a significant increase over 2011-12. There has been a 16% increase in the number of passport, aviation and marine licence suspensions during the period between 2009-10 and 2012-2013.

Multiple improvements and enhancements to federal enforcement tools were undertaken during the SFI. Improvements included: enhancements to FLAS enforcement systems and technologies; and increased use of electronic transfer protocols for exchange of information which brought about efficiencies, greater integrity of data and improved timeliness of enforcement tools. The enforcement services under FOAEAA and GAPDA are requested by the provinces and territories. The rise in the use of these services indicates that the jurisdictions see these services as contributing to their capacity to manage child support enforcement. Specific examples of

enforcement improvements that were identified as enhancing the capacity of the provinces and territories include:

- improvements to the exchange of information with provincial and territorial partners through wider use of File Transfer Protocol exchanges;
- amendments of the FOAEA schedule to update references to marine licences in regards to the Marine Personnel Regulations;
- amendment of FOAEA Garnishment Regulations to designate several new sources of moneys; and
- development of a Memorandum of Agreement to improve the administration & effectiveness of passport suspensions.

Provinces and territories indicated that enforcement assistance provided by the SFI had been helpful in their jurisdictions. The technological assistance and funding provided to improve MEP systems and the national data on MEPs reported by the SMEP were considered to be valuable.

Another way that the SFI has strengthened the federal capacity to respond to the needs of families is through the management of the Automated Interactive Voice Response Line⁴⁰ which provides important information to creditors and debtors about the federal enforcement tools and the status of the garnishment applications.

4.2.2. Enhanced Awareness and Understanding of Parental Obligations, Compliance and the Family Justice System

The SFI has enhanced parental awareness of the family justice system, the importance of custody, access and support obligations; and the importance of compliance for their children and families. Parent education programs were identified as the best means of enhancing parent awareness. Over 80% of the judges interviewed also indicated that parent education had the most significant impact in increasing parents' awareness of their family justice responsibilities. The SFI also contributed to enhancing the knowledge and awareness of legal professionals particularly through: funding of specialized training; development and distribution of PLEI material; partnership building and collaboration; and research supported at the federal level.

⁴⁰ The Automated Interactive Voice Response Line is managed by FLAS.

Between 2009 and 2012, 64.2% of the SFF was directed towards activities and projects that were intended to enhance the awareness and understanding of parental obligations, compliance and the family justice system. Activities related to this objective include those designed to enhance awareness among both family justice professionals and parents.

Enhanced awareness of parents

Participation in a family justice program or service was deemed by parents⁴¹ to have had a positive impact on their understanding of the negative consequences of conflict on children, the needs of their children after separation, and different options for handling custody and access issues. Counselling and support programs for children were considered to be the most helpful types of service by parents experiencing separation and divorce.

Parents⁴² indicated that involvement in a parent education program had increased their awareness of family justice matters, parent obligations, clarifying information about the legal options and resources available to them, the importance of addressing the needs of children when developing an agreement, and the importance of compliance.

Provincial and territorial representatives also indicated that the activities, services and programs supported through the SFI have contributed to a cultural shift in the way parents view their custody, access and support obligations and the needs of their children after separation. Based on their interaction with families experiencing separation and divorce, they indicated that parents show more awareness of mediation as an out-of-court dispute resolution mechanism, increased acceptance of a larger role for fathers in parenting arrangements, agree that the needs of children are a priority when developing custody, access and support agreements, and are more aware of the deleterious impact of parental conflict on their children.

Parental knowledge regarding the availability of justice programs and services has increased as they are more knowledgeable about the different services that are available such as mediation, parent education programs, and enforcement services.

Judges interviewed for the evaluation agreed that the SFI has contributed to parents becoming more aware of their family justice responsibilities and further indicated that parent education has had the most significant impact in this regard.

⁴¹ SFI Parent Survey and focus groups

⁴² Parent education program exit surveys

Although evidence indicates that the SFI has enhanced parental awareness of the family justice system, gaps in parental awareness are believed to still exist in terms of how parents can best manage the complex steps involved in the family justice system. Also parents expressed that some of the material used in parent education sessions needs to be updated and does not adequately reflect the reality and diversity of contemporary families.

Enhanced awareness of family justice professionals

The SFF provided funding to enhance awareness among family justice professionals of family law issues. Examples of these activities and projects include: training for legal professionals who work with high conflict parents; training for enforcement staff and others in the use of child support calculation software; the development of a tax toolkit to help family lawyers understand the tax system; and the provision of specialized training workshops in Quebec to enable appropriate screening of clients for spousal violence to conduct safe and appropriate mediations. In Saskatchewan, a two-day workshop for mediators, family justice services staff, police and victim services workers provided education and information on how family violence impacts children and on the role of the service providers in these situations.

The FCY has participated in the development of training materials for other legal professionals. For example, FCY provided expert advice on material for a Royal Canadian Mounted Police course relating to child abduction, including relevant provisions of FOAEAA that deal with the tracing of individuals in situations of child abduction and custody provisions of the *Divorce Act*.

In 2013, *Making Plans*, a guide for parents, and the *Parenting Plan Tool* were two new products added to the Justice Canada website. Early results from an online survey regarding these new products indicate that legal professionals plan to use these tools to increase the awareness of their clients on how to address their parenting arrangements.

The FCY collaborates with and provides advice on family law and the family justice system to other federal departments and divisions such as the Canada Revenue Agency, Finance Canada, the Royal Canadian Mounted Police, the Department of Foreign Affairs, Trade and Development, Citizen and Immigration Canada, the Canada Border Services Agency, and Aboriginal Affairs and Northern Development Canada. FCY activities also extend to collaboration with other bodies such as the Canadian Bar Association (e.g. on the development of an article on obtaining passports for children in divorce cases) and the Canadian Judicial Council (e.g. discussing the needs of parents with judges who are frequently dealing with SRLs).

in the family justice system). These types of exchanges can help to advance the awareness of partners involved in family justice.

A majority of family justice professionals indicated that the SFI has contributed to increasing the awareness of family justice professionals of the needs of parents experiencing separation and divorce. Almost three-quarters of family lawyers and mediators participating in a web survey indicated that they believed family justice professionals were more knowledgeable about specific factors (such as parent conflict) that made it difficult for parents experiencing separation and divorce to comply with their custody, access and support agreements.

Family justice professionals who received high conflict training indicated they gained knowledge, awareness and expertise in terms of understanding and providing services and support to high conflict parents. These skills focused on improving the capacity of the family justice system to meet the needs of these parents.

All the federal, provincial and territorial representatives interviewed indicated that the SFI had significantly contributed to enhancing the awareness of family law professionals of services and programs and the needs of families. In terms of gaps in the awareness of family law professionals, some federal, provincial and territorial representatives indicated that they felt some newly qualified professionals may not be fully aware of the scope of family justice services available to families experiencing separation and divorce.

4.2.3. Expanded Accessibility of Family Justice Programs and Services

Evidence of expanded accessibility

Evaluation results indicated that the SFI has promoted accessibility of family justice services and programs to parents.

Between 2009 and 2012 17.4% of SFF resources were directed towards expanding the accessibility of family justice programs and services to linguistic and cultural minority families and to remote communities.

The SFI has been able to expand accessibility in many jurisdictions across the country through the SFF. Some examples of projects and services that were funded include:

- the increased accessibility to geographically isolated and First Nations families in the Yukon by offering remote access to mediation and through the development of a roster of mediators with different cultural backgrounds and linguistic capabilities to assist families with varying backgrounds; and the development of a specialized parent education program for aboriginal communities;
- the development of a specialized parent education program for aboriginal communities in Ontario. The project involves the development, translation (multiple aboriginal languages and French), distribution and delivery of information tools;
- the development of a Family Law Information Portal in Nova Scotia that increases access to family justice information for all parents in the province, including those who are geographically isolated;
- the development of practice guidelines, best practices and policies for providing mediation at a distance in British Columbia;
- the *Programme de médiation familiale* in Quebec that provides access to a combination of parent education and free mediation sessions to parents experiencing separation and divorce in the province. The program has developed an extensive mediation roster using a majority of contracted private mediators which provides parents access to mediation in a timely way no matter where they live. The goal of the mediation program is to help parents develop more sustainable custody and access agreements outside of the courts, which in turn serves to reduce conflict between parents and reduce costs to both the parents and to the justice system. Mediation helps reduce conflict as parents feel their interests are being addressed and they are encouraged to focus on the needs of their children; and
- the SFF has also supported several PLEI projects that have also been helpful in assisting parents from official language minority communities learn about the family justice system and reach appropriate custody, access and support agreements. For example, a project coordinated by the *Association des juristes d'expression française d'Alberta* developed and delivered a series of workshops for the francophone community in Alberta on about the family justice system and the legal rights and responsibilities of parents in relation to separation and divorce. The workshops were made available in remote locations through video conference. The sessions were developed by experts in family justice and the law and provided information to parents on separation and divorce, family mediation, marriage, custody, access and support agreements, high conflict separation and divorce, and the rights of grandparents.

In addition to activities funded through the SFF, there has also been an increase in the accessibility of information and tools for families. Examples of the increased accessibility include the traffic on the Justice Canada website providing PLEI, which receives more than 1.2 million visits each year and operation of the FCY Justice Canada Family Justice Information Line.

Federal, provincial and territorial representatives indicated that mandatory parent education, child support improvements, development of child support recalculation services and distribution of PLEI were the SFI activities that had been the most effective in ensuring accessibility of information and services to families.

While family justice professionals indicated that access by parents to mediation services had increased since the SFI began, they were somewhat more cautious about the degree to which the SFI had increased the accessibility of services and programs to some groups of parents, mainly those in remote and geographically isolated areas and from cultural and linguistic communities. Judges indicated that, although the types of services funded by the SFI such as mediation are effective and well targeted, mediation is not available widely enough in all jurisdictions.

Over 80% of the parents⁴³ surveyed were satisfied with the accessibility of the programs. Some parents indicated however that they had experienced a wait time to attend parent education programs. This underscores that timely accessibility to parent education and information after separation is critical because these sessions inform parents about out-of-court options such as mediation.

Remaining gaps in services

Although accessibility to services was mostly achieved through parent education programs, federal enforcement assistance delivered through the MEPs and the dissemination of PLEI, the lack of stable long-term funding was considered to be a barrier to expanding the accessibility to services and programs needed by families.

The SFI has enhanced the accessibility of family justice services and programs to targeted groups of parents including linguistic and cultural minorities and those who are geographically isolated. However, there are some continuing access issues for families living in remote communities with

⁴³ Parent education program exit surveys

limited internet access: First Nations families; cultural and linguistic minorities (other than francophone groups which were well served by the initiative); and high conflict parents.

Need for specialized programs

High conflict parents were described by all federal, provincial and territorial representatives and family justice professionals involved in the evaluation as a group with significant and specific needs. Most of the federal, provincial and territorial representatives indicated that the SFI has achieved some improvement in access to services for high conflict parents. Accessibility was improved by funding for triage and assessment services, high conflict parent education, and the training of mediators in specialized skills to work with this group.

Family justice professionals identified high conflict parents as needing a specialized approach and services related directly to their complex characteristics. The SFI is addressing some of these needs through targeted programs and services such as the evidence-based *Differential Response to Conflict Assessment Tool* which is being implemented province-wide in Nova Scotia. Funded under the SFF, this tool was developed to systematically address and differentiate the level of conflict parents have at an early stage of their contact with the family justice system so that these needs can be addressed in a timely and appropriate fashion by the family justice and related systems.

Parents participating in focus groups prioritized the need to have more programs and services available for separated fathers and for children. Fathers indicated they needed more “fathers only” access to support and information to help them adjust to separation, handle custody and access issues, resolve communication problems with the other parent and learn more effective parenting skills. Timely access to low cost counselling and support programs for children was also a priority for many parents who felt their children were having post-separation adjustment problems.

Results from the SFI Parent Survey found that counselling support programs for children were considered to be the most helpful type of family justice service by parents.

The SFI funds The *Positive Parenting From Two Homes “For Kids”* program which offers comprehensive counselling support, delivered to children in schools in Prince Edward Island. This is a cost-free, voluntary, facilitated program for children in grades 1-9 that provides age-appropriate information and support that helps reduce the impact of separation and divorce on them.

Parents who were surveyed about the value of the Prince Edward Island children's programs stated that counselling for children not only assists in the child's adjustment but leads to more compliance with custody/access/support between the parents because post-separation conflict and distress in the family is reduced.

Provincial and territorial representatives, family justice professionals and parents all agree that there is a need for short-term, easily accessible, timely, low-cost legal advice during the initial stages of the development of custody and access agreements or arrangements especially if parents are unable to access other assistance. SRLs who participated in the focus groups expressed the view that limited legal advice provided in a timely manner could have helped them develop more collaborative and long-lasting custody, access and support agreements. Although not within the federal mandate, the provision of limited legal advice is considered to be essential in cases where legal information alone is not sufficient to address the needs of families.

4.2.4. Improved Efficiency in Enforcement Tools and Services

The SFI has made progress in improving the efficiency of enforcement tools and related services through multiple initiatives undertaken by FCY in relation to FOAEAA and GAPDA, through collaboration with and funding provided to the provinces and territories to create technical and electronic system improvements, and through research and policy initiatives.

Between 2009 and 2012, 23.1% of the SFF was directed towards improving efficiencies in provincial and territorial enforcement tools and services. The SFI has supported improvements in enforcement systems and technologies, the hiring of specialized enforcement staff, and has provided assistance with participation in national data collection on enforcement issues.

In one jurisdiction funding was provided to meet with clients to review the effectiveness of services, to develop voluntary payment plans and liaise with staff at Family Justice Centres. All jurisdictions received SFF funding to enhance maintenance enforcement programs.

The FCY has also contributed to federal improvements in enforcement generally by creating system efficiencies, improving business practices, adding new sources of garnishable moneys, and enhancing electronic transfer of enforcement information to and from the jurisdictions so that provincial and territorial efforts to support compliance can be simplified and made more efficient.

Examples of specific improvements undertaken by the FCY during the SFI include the following:

- enhancement to the FLAS electronic exchange of FOAEA information with provinces and territories (2010-11) and greater collaboration with provincial and territorial partners in the planning of future system changes;
- support of the work of provincial and territorial officials to improve provincial and territorial ISO legislation (including legislative amendments and a review of ISO forms & guides – 2009-2014);
- regulatory amendments made to improve the FOAEAA forms;
- improvements to the process and electronic exchange for garnisheeing EI moneys in conjunction with Employment and Social Development Canada (2011-12);
- implementation and expansion of a secure electronic transmission process for GAPDA garnishment material between the NCR GAPDA Registry with federal departments (2010-13); and
- update to and maintenance of the Automated Interactive Voice Response System that allows individuals to obtain more information on the status of their intercepted funds. Debtors are the most frequent users of this service (2009-10).

FCY's ongoing contribution to enforcement activities in the provinces and territories is reflected in an increase in tracing validations, garnishment activities, and the number of passport and marine licence denial requests received during the SFI. However, federal, provincial and territorial respondents identified the lack of legislative amendments as a barrier to expanding the effectiveness and efficiency of tracing and enforcement tools through FOAEAA and GAPDA.

CCSO-FJ related activities have also led to collaboration and exchange with international partners to improve the effectiveness and efficiency of enforcement tools and services, including enforcement in cases of child abduction. For example, from 2009 to 2013 Canada participated with international partners in International Heads of Agency meetings with counterparts in Australia, New Zealand, the USA and the United Kingdom. Also, in 2009, Canada sent a delegation to the Special Commission of the International Recovery of Child Support and Other Forms of Maintenance.

Family lawyers and mediators⁴⁴ also indicated that federal child support enforcement mechanisms (e.g. garnishment and licence denial) have helped encourage parent compliance with child support, another indication of the value of the federal contribution to enforcement activities under the SFI.

4.2.5. Enhanced Capacity of Parents to Reach Appropriate Custody, Access and Support Agreements

The SFI has had a significant role in enhancing the capacity of parents to reach appropriate custody, access and support agreements particularly through the funding of services and programs such as mediation, parent education and the development and distribution of public legal information and education products.

Between 2009 and 2012, 53.9% of the SFF was directed towards enhancing the capacity of parents to reach appropriate custody, access and support agreements. The majority of these activities focus on services such as parent education, mediation and PLEI. They also include initiatives related to the training of family law professionals to help parents reach agreements.

SFF funding has supported a wide range of services and programs in the provinces and territories and clusters of services or activities that, in combination, enhance the ability of parents to reach agreements. For example, in one jurisdiction, the cluster of funded activities included the integration of mediation services, the coordination of mediation programs, recruitment to and expansion of mediator rosters, support for parent eligibility assessments, assistance with staffing for information centres, and contributions to the delivery of parent education sessions including the collection of data, updates to the curriculum, payment of facilitators and refinements to the program.

Nine project coordinators involved in the evaluation case studies stated that their projects had contributed to a significant extent to the capacity of parents to reach appropriate custody, access and support agreements. In general, these projects provided parents with information on the family court process, court forms, parent rights and mediation. The majority of the projects also had components that addressed the needs of cultural and linguistic minority groups and parents who are geographically isolated.

⁴⁴ Family lawyer and mediator web-based survey

There was consensus among federal, provincial and territorial respondents and family justice professionals that the increased knowledge and awareness of parents gained by participating in services and programs supported by the SFI have helped enhance the capacity of parents to reach appropriate custody, access and support agreements. This was seen as being most effectively achieved through family justice programs, mediation and PLEI.

Public legal education and information

PLEI products provide parents with the information they need to increase their capacity to reach custody, access and support agreements.

Justice Canada PLEI products provide information to parents that contribute to their ability to reach appropriate custody, access and support agreements. The high frequency of visits to Justice Canada's family law website pages indicates that parents frequently turn to federal PLEI products to learn more about and help to develop custody, access and support arrangements.

The Family Justice Information Line also received information requests (17,394 between 2009 and 2013); the most frequent questions of parents relate to the *Federal Child Support Guidelines* and how they work.

Although there has been a wide distribution of PLEI to parents under the SFI, at times information alone is insufficient in helping parents reach appropriate agreements. Some judges, family lawyers and parents indicated that although outside the scope of the SFI, some parents experiencing separation and divorce require access to limited free or low cost legal advice at key points in the family justice process to reach appropriate agreements.

Also, funding PLEI projects under the SFF has produced a number of information and training resources used in jurisdictions by families experiencing separation and divorce and professionals working with them.

Mediation programs

Mediation and parent education programs were also found to help parents reach appropriate custody, access and support agreements. Family lawyers and mediators stressed that mediation allows parents to reach agreements without going to court. This results in savings (time and financial), reduces conflict between parents, and produces agreements that are more likely to last as there is a vested interest by both parties in making the agreements work.

Over 75% of parents surveyed⁴⁵ indicated that mediation had been helpful in their being able to reach an agreement, with most being able to achieve a partial or complete agreement.

The *Distance Family Mediation Pilot Project* in British Columbia tested and piloted mediation technology and practices to develop practice guidelines, best practices and policies for mediating at a distance. A number of distance technologies were tested so that parents could choose the most appropriate one for their situation. The objective of the project was to help parents develop agreements that facilitate and support parental compliance with custody and access arrangements. Project participants completed the distance mediation with partial or full agreements in 88% of the cases.

Parent education programs

Parent education programs supported through the SFF, provide parents with information and tools to help them to reach custody, access and support agreements.

Over 80% of the parents⁴⁶ who participated in a parent education program indicated that the information received was key to their being able to reach an appropriate agreement. This included parents gaining a better understanding of custody obligations, decision making and the importance of compliance with their custody, access and support responsibilities. In fact, approximately a quarter of the parents indicated that they could benefit from a follow-up session a year later. However, some parents who responded to the SFI Parent Survey indicated that specific information about non-court alternatives for handling custody and access, such as mediation needs to be provided earlier in the separation process. This would help with increasing capacity to reach agreements.

4.2.6. Enhanced Ability of Parents to Comply with their Custody and Access Responsibilities

The SFI has made progress towards enhancing the ability of parents to comply with their custody and access responsibilities. This has been primarily achieved through the funding of programs such as mediation, parent education programs and PLEI.

⁴⁵ Mediation services exit surveys

⁴⁶ Parent education programs exit surveys

Between 2009 and 2012, 27.2% of the SFF was directed towards enhancing the ability of parents to comply with their custody and access responsibilities. Examples of SFF funding which directly or indirectly supports compliance included funding for services such as mediation, parent education and supervised access.

Almost all case studies included in the evaluation demonstrated aspects that enhanced the ability of parents to comply with their custody and access obligations to a moderate or great extent. Case study respondents indicated that the majority of these projects involved activities that helped parents develop a greater understanding of the importance of compliance with custody and access arrangements, and also provided resources on how to maintain compliance.

Over 60% of the parents⁴⁷ who had used SFI-supported services and programs said that they were complying well with their custody and access responsibilities. Approximately 60% of the parents indicated that their involvement in SFF funded services and programs had made a significant or moderate contribution to supporting compliance with custody and access. However, 34% of parents indicated their involvement had made little or no contribution to compliance. These results were linked to levels of conflict and cooperation in the parent relationship. Where parents had compliance problems, breaches of custody and access were the most common issues they faced.

The SFI parents' survey results also indicated that agreements ordered by judges tended to have lower levels of compliance, possibly due to their involvement at a later stage in more complex cases where there is a high conflict. Agreements drawn up with assistance of a family lawyer or mediator and filed in court were associated with higher compliance levels.

Some family law professionals and federal, provincial, territorial representatives also indicated that there has been an increase in the ability of parents to comply with their agreements since the start of the SFI. However, although the SFI has supported and enhanced the ability of parents to reach and comply with their custody, access, support agreements, compliance can be affected by family or personal factors that can outweigh the benefits of participating in family justice services and programs. Poor conflict resolution or communication skills between the parents are the most significant factors contributing to non-compliance with custody, access and support obligations. These factors may ultimately outweigh the benefit of some programs such as parent education, which is usually of short duration.

⁴⁷ SFI parent survey

4.2.7. Increased Parental Compliance with Financial Support Obligations

The SFI has also made progress towards increased parental compliance with their financial obligations through supporting provincial and territorial services and programs such as MEPs, child support recalculation, assistance with software and technological improvements in the MEPs and improvements to enforcement services available at the federal level, through FLAS.

Between 2009 and 2012, 28.2% of the SFF was directed towards enhancing parental compliance with financial support obligations. Examples of SFF funded activities that support parental compliance with financial obligations included funding for MEPs (including the funding of specialized staff in the MEPs) and support for legislative amendments in the provinces and territories related to child support enforcement.

FCY provides a range of services and tools under FOAEAA and GAPDA that support the provinces and territories in assisting parents to comply with financial orders and agreements. Although the responsibility for enforcement lies with the MEPs in the provinces and territories and compliance cannot be attributed to any one enforcement or tracing action, the availability of these tools is an important commitment by the federal government to make these avenues of enforcement available. An analysis of FLAS data indicates that the use of tracing tools, garnishment and licence denial has increased over the life of the initiative, suggesting that the provinces and territories see these tools as a valuable contribution to maintenance enforcement.

In a 2009 assessment of the efficacy of SFI enforcement tools, 50% of the provinces and territories reported that they were able to locate the debtor as a result of federal tracing 0-25% of the time. Two large jurisdictions indicated that the federal tracing data was helpful 51-75% of the time. Although it cannot be reliably determined how many support orders and agreements are consistently complied with in Canada, the proportion of MEP enrolled cases that have received twelve months of full payment increased from 29% in 2005-06 to 36% in 2011-12. Furthermore, the amount of federal funds garnisheed for support recipients – although fairly consistent over the first four years of the current initiative (\$163,000,000 to \$168,000,000 annually) – is higher than for preceding initiatives.

Federal, provincial and territorial representatives and family justice professionals indicated that the SFI has been helpful in supporting enforcement activities directed at improving compliance with child support obligations. This was most evident through system improvements undertaken by FCY, the provision of funding for MEP projects, and funding activities that allowed MEPs to support specialized staffing within their programs.

Although the SFI has helped to increase parental compliance with financial support obligations, there continues to be a need to pass legislative amendments that would: allow for the modernization of the FOAEAA and GAPDA; add new tracing information that could be shared with provincial and territorial partners; and provide tracing information to a greater number of provincial and territorial entities that provide family justice services to Canadians. A project on sharing information regarding new hires, a long-standing priority, should also be implemented, which would lead to significant gains in enforcement capacity.

4.2.8. Increased Effectiveness of the Family Justice System in Addressing the Needs of Families Experiencing Separation and Divorce

Through the achievement of the direct and intermediate outcomes as evidenced through the evaluation, the SFI has made progress towards increasing the effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce.

The SFI is helping to meet the majority of family justice needs, particularly for accurate, timely and free information on the family justice system and options for handling custody, access and support issues outside of court and the range of support and assistance provided to MEPS (including through FLAS and the SFF).

Mediation, parent education sessions, family justice information centres and enforcement related services are the most effective in terms of exemplifying best practice elements and are associated with the highest levels of parent satisfaction.

Parents were satisfied⁴⁸ with the accessibility and timeliness (both aspects of effectiveness) of the services they received. Some services such as support groups for children, free legal information provided at family law information centres, free legal advice and printed PLEI materials were seen as the most effective services. Parents were asked whether attending a parent education program had led to their considering the possibility of using mediation to resolve their custody and access issues⁴⁹. Over a third said that it had a significant influence, indicating that parent education is effective in providing parents information about out of court options for handling custody and access.

⁴⁸ Parent education programs exit surveys

⁴⁹ SFI parent survey

Family justice professionals also indicated they were satisfied with the SFI-supported services offered to parents. Services such as mediation were seen as having the most positive impacts on the family justice system by diverting parents from the courts.

4.3. Performance - Demonstration of Efficiency and Economy

The SFI has been administered economically, but the level of combined initiative⁵⁰ and non-initiative⁵¹ salary and O&M resources was not sufficient to meet the demands placed on FLAS for systems upgrades. Both the PDU, which administers the SFF, and FLAS have been shown to have high levels of operational efficiency. Although the availability of outcome data that can readily be expressed in dollar terms is limited, both mediation and parent education services have shown benefits that exceed the federal contributions. The outcomes of FLAS activity for parents are very substantial when compared to the amount of federal net expenditures.

In accordance with the Treasury Board Secretariat's guidelines in the *Directive on the Evaluation Function* (2009)⁵², an examination of resource utilization in the SFI was undertaken using analyses of economy, operational efficiency and allocative efficiency. It is difficult to quantify and analyze outputs and outcomes associated with the leadership role and the policy work achieved under the SFI. Therefore, the assessments of efficiency in this section focus instead on the key activities of investment and assistance that can be measured in more concrete terms. More specifically, they examine the use of resources in relation to the achievement of two main outcomes of the SFI “*enhanced ability of parents to reach agreement on appropriate custody, access and support obligations*” and “*increased parental compliance with financial support obligations*”.

4.3.1. Analysis of Economy

An analysis of economy focuses on inputs and whether they are optimized (or minimized). Economy is achieved when the cost of the resources that are used approximates the minimum amount of resources needed to achieve the expected outcomes. In the context of the SFI, this analysis looks at the relation between planned and actual expenditures for each unit, and also at

⁵⁰ This refers to the SFI O&M and salary resources (also referred to as Vote 1) and does not include the SFF grants and contributions resources (also referred to as Vote 5).

⁵¹ Non-initiative refers to on-going FCY salary and O&M resources

⁵² <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=15681§ion=text>

how resources have been used in each unit to achieve leadership, assistance and investment goals.

Analysis of planned to actual expenditures (SFI and non-initiative O&M)⁵³

Table 3 compares planned with actual expenditures of salary and O&M (initiative and non-initiative) resources in each of the first four years of the Initiative. The table shows that the overall actual salary and O&M expenditures have exceeded planned expenditures by \$1,053,541, or 3.3%. Of this amount, \$945,000 was for system upgrades to FLAS in 2009-10 and 2010-11, which were drawn from departmental reserves, un-expended dollars from other (non-SFI) programs in the Department. The remaining \$108,541 (\$1,053,541 – \$945,000) was also drawn from reserves for on-going FLAS operations. This indicates that the salary and O&M (initiative and non-initiative) dollars were not sufficient to fully support all of the demands placed on FLAS between 2009 and 2013. The demand for its services is largely beyond its control, and depends on the economy, patterns of divorce and separation, compliance rates, and activity of MEPs in each jurisdiction.

Table 3. Planned to Actual Salary and O&M (Initiative and Non-initiative) Expenditures Budget

Year	Planned ¹	Actual ¹	Difference (plus sign = actual <u>more</u> than planned; minus sign = actual <u>less</u> than planned)
2009-10	7,957,330	8,581,038	+623,708 ²
2010-11	7,977,672	8,303,155	+325,483 ³
2011-12	7,977,672	7,945,386	-32,286
2012-13	7,674,215	7,810,851	+136,636
Total, 2009-2013	31,586,889	32,640,430	+1,053,541

Notes:

1. Figures are for all FCY salary and O&M (initiative and non-initiative) expenditures excluding corporate costs and salary and O&M related to Children’s Law Family Violence Policy Unit which is evaluated separately.
2. Includes \$620K for FLAS system upgrades that were funded through departmental reserves.
3. Includes \$325K for FLAS system upgrades that were funded through departmental reserves.

Analysis of planned to actual expenditures, SFF grants & contributions budget

The SFF grants and contributions budget is comprised of three components. The first is the FJI, which funds family justice services and programs based on annual or multi-year proposals

⁵³ Different time periods were used throughout the analysis to allow for the most complete data to be included. The time periods used are identified for each individual analysis.

submitted by the provinces and territories. The federal contribution to these activities amounts to approximately 20% of the overall costs detailed in the proposals. The second component is the Pilot Projects, through which funding is provided to provinces and territories to develop, implement and evaluate innovative family justice services. The third is the PLEI and Professional Training component that supports NGOs to undertake PLEI and professional training projects.

The relationship of planned to actual expenditures of SFF funds is shown in Table 4. The PDU has allocated 100% of the SFF each year and expended funds almost 100% as planned. Data for allocations to FJI is complete for the first three years of the initiative. For many recent or multi-year PLEI and pilot projects final data is unavailable as final reports were not yet received at the time of analysis, so only expenditures for completed projects are shown below.

Table 4. Planned to Actual Expenditures of SFF Budget, 2009-12

SFF Component	Total SFF Planned ¹	Total SFF Expended ¹	% of Planned Expenditure
FJI	45,000,000	44,932,008	99.8%
PLEI (22 projects with final data)	1,636,071	1,552,839	94.9%
Pilot (22 projects with final data)	1,233,807	1,170,402	94.9%
Total	47,869,878	47,655,249	99.6%

Note: 1. Figures include only planned and expended amounts for the first three years of the SFF.

Analysis of work time spent on leadership, investment and assistance

An analysis of the time spent on the three SFI activity areas of leadership, investment and assistance as defined in Section 2.5.1 of this report was also conducted. The data was analyzed for the first four years of the SFI (2009-13). In the first analysis, the allocation of time staff spent on each of these areas (based on subjective estimates by the Coordinators of each of the FCY Units) was assessed in relation to the expenditures of these units to operate the SFI. These expenditures included salary and O&M (initiative and non-initiative) dollars, as well as draws from departmental reserves. In this analysis, the most resources (FCY salary and O&M expenditures) were spent on assistance activities (38% of overall expenditures), followed closely by leadership (35%), and then investment (27%). From an administrative perspective, the division of the three activities reflects the federal government's intention to play a leadership role in harmonizing family justice policies and services across the nation, and fostering communication between the provinces and territories.

The second analysis repeated the first one, but added expenditures of SFF dollars (all of which are in the investment activity category) to determine the overall allocation of salary, O&M and SFF funds for the same three activity categories of leadership, investment and assistance. When funds from both sources were included, investment in the development and enhancement of provincial and territorial services was shown to comprise 77.7% of SFI expenditures, assistance 11.5% and leadership 10.7%. This enlarged analysis showed that the overwhelming majority (almost 90%) of federal activity (investment and assistance combined) directly assists families through services, PLEI products, programs and enforcement services.

4.3.2. Analysis of Operational Efficiency

An analysis of operational efficiency examines the relationship between resources that are consumed and the outputs that result including how well inputs are being used and converted into outputs. The analysis is restricted to the SFF and selected activities of FLAS, as they are units in which the relationship between inputs and outputs can most readily be expressed in meaningful dollar terms. However, it is important to note that the multidisciplinary nature of FCY means that the work of the other units such as legal policy, research and communications also contributed to FLAS and PDU outcomes.

Supporting Families Fund

The total of salary and O&M funds actually expended by the PDU to operate the fund in the first four years of the initiative (2009-2013) was \$1,731,341. SFF disbursements made by the fund in this period (including the FJI, PLEI and Pilot Projects components, with estimates for some projects in 2012-13) were \$62,829,745.

Thus, for every federal dollar (salary and O&M) spent on administration, \$36.29 of SFF dollars were dispersed for FJI, Pilot and PLEI projects ($\$62,829,745/\$1,731,341 = \$36.29$).

The total amount expended to operate the SFF itself (salary and O&M) and to fund the projects in this period is \$70,284,508. Thus administrative costs expressed as a percentage of total operating costs is:

$$\frac{1,731,341}{70,284,508} \times 100 = 2.5\%$$

The administrative efficiency ratio (salary and O&M costs as a portion of grants and contribution dollars) awarded is:

$$\frac{1,731,341}{62,829,745} = \$0.03$$

It is beyond the scope of this analysis to develop a systematic comparison with other grant and contribution programs. This would require analysis of such factors as the number and size of grants and contributions administered, the level of support and interaction required to effectively service the grantee and the degree of monitoring necessary (e.g. site visits) and support or indirect costs involved in delivering the comparison programs. Nonetheless, the administrative costs as a percentage of total operating costs are low, as is the resulting efficiency ratio.

In addition to having a low administrative efficiency ratio, the PDU consistently meets and exceeds the Justice Canada service standards⁵⁴ for the administration of the SFF 100% of the time. For example, between July 2010 and June 2011⁵⁵, 89% of SFF proposals were acknowledged to have been received within one day⁵⁶ opposed to the seven day service standard. Written notification of the funding decision was then sent within 60 days⁵⁷ for 89% of the files which is half of the standard service time of 120 days. This further demonstrates the operational efficiency of the SFF.

Family Law Assistance Service

Justice Canada is responsible for three federal acts and their respective regulations which relate to the activities of FLAS: the *Divorce Act*, the FOAEAA and the GAPDA. FLAS has established three programs to administer these Acts.

⁵⁴ A service standard is a public commitment to a measurable level of performance that clients can expect under normal circumstances. The Department of Justice has set three service standards for the timely and accurate delivery of Program-related services under normal circumstances.

1. **Acknowledgement:** The goal is to acknowledge receipt of a proposal within **7 calendar days** of receiving the funding request.
2. **Funding Decision:** The goal is to issue official written notification of the funding decision within **120 calendar days** of the Program's receipt of the completed proposal.
3. **Payment:** The goal is to process payments within **28 calendar days** after the completion of the requirements outlined in the contribution agreement or the grant letter.

⁵⁵ Justice Canada began collecting data regarding the acknowledgement and funding decision service standards in July 2010. Reporting on the payment standards began in 2012 for which 100% were met for the SFF.

⁵⁶ The longest it took to acknowledge receipt was five days, which is significantly below the standard of seven days.

⁵⁷ The longest time was 65 days, which is significantly below the standard of 120 days.

1. The FLAS CRDP Unit, established under the CRDP Regulations, maintains a nation-wide registry of divorce proceedings to help courts across Canada detect duplicate proceedings.
2. The FOAEA Unit processes applications to:
 - trace individuals in default of a family obligation;
 - intercept federal payments that would otherwise go to individuals who are in default of their family support obligations; or
 - suspend or deny certain federal licences and passports of individuals who are chronically behind in family support payments.
3. The FLAS Garnishment, Attachment and Pension Diversion Registry for the National Capital Region (GAPDA NCR Registry) is used to validate applications for the garnishment of federal public servants' salaries and payments to federal contractors under Part I of the GAPDA within the National Capital Region.

The primary clients of these services are the provincial and territorial MEPs and the family courts.

Basis of description of FLAS costs

The analysis in this section is based on costs associated with the operations of FLAS as a whole, rather than only those specifically associated with SFI funding. This is primarily because there are no separately-categorized SFI outputs that form a distinct component of overall FLAS activity. However, two characterizations of the relative contribution of SFI funding can be made:

1. An analysis by FLAS for the 2010-11 year showed that 82% of total direct salary and O&M program costs were derived from SFI funding.
2. A summary of Salary and O&M budget allocations for FLAS over the first four years of the SFI (2009-2013) show that non-initiative salary and O&M, as well as actual funds drawn from departmental reserves have comprised 33% of FLAS funding, versus 67% that have come from the SFI. These figures are based primarily on direct program costs. They make clear that neither non-initiative funding nor SFI funding in and of themselves were sufficient to sustain the basic operation of FLAS.

Full program costs

Initiative and non-initiative salary and O&M allocations for FLAS for the first four years of the initiative (2009-13) show total expenditures of \$8,222,277. This figure primarily reflects direct program costs to deliver FLAS activities (which include FOAEA, CRDP and the GAPDA NCR Registry), but also includes \$945,000 that was drawn from departmental reserves for system upgrades.

A full accounting of program costs was prepared by FLAS for the year 2010-11 as part of a fee review exercise. Although it showed that direct costs were \$2,589,595, when other program support costs⁵⁸ are also included, the total government cost was approximately doubled (\$4,905,326).

Cost recovery

Two types of fees are charged to offset, to a certain extent, the federal government expenses that relate to FLAS activities:

- A yearly administrative fee of \$38 is charged to debtors for processing the garnishee summons received under FOAEA Part II⁵⁹. This fee is collected where there are any moneys left after the financial terms of a summons have been satisfied. The uncollected fees on the expiry or cancellation of the garnishee summons are remitted in accordance with Section 12 of the *Family Support Orders and Agreements Regulations*.
- Under the CRDP Fee Order, an administrative fee of \$10 is levied when an application for divorce proceeding is received (except for proceedings covered by Legal Aid), of which \$3 is paid to the provinces and territories as compensation for their costs associated with completing the forms.

Fees from these two sources in 2010-11 (\$2,440,627 for FOAEA Part II, and \$693,360 for CRDP) totaled \$3,133,987. They thus exceeded the direct costs of operating the three programs of FLAS (\$2,589,595), and represent 64% of the combined direct, support and indirect costs (\$4,905,326) of operating FLAS. It should be emphasized that all recovered funds from the \$38 administrative fee under FOAEA Part II and the \$10 fee under the CRDP Fee Order are

⁵⁸ Other program support costs include those from other FCY units, the Justice Canada Information Solutions Branch, and indirect costs from government departments.

⁵⁹ FOAEA Part II refers to garnishment activity

transferred into the federal Consolidated Revenue Fund and are not used to operate any of the programs. Nonetheless, on paper, the “net cost” to the federal government of operating these three government programs in 2010-11 can be considered to be \$1,771,339 (i.e. \$4,905,326 – \$3,133,987).

An analysis of the impact of cost recovery in 2010-11 for FLAS’ administration of FOAEA Part II show that the total costs (Justice Canada and other government departments) for FOAEA Part II in this period were \$2,464,336, and the amount recovered from administration fees was \$2,440,627. The ratio of administration fees collected to program costs was therefore $\$2,440,627 / \$2,464,336 = .99$. This means that, for every dollar spent on FOAEA Part II activity, \$0.99 was recovered in 2010-11 through the recovery of administrative fees. These fees do not directly support either FLAS or Justice Canada, but do become part of federal general revenue.

A comparable analysis of the impact of cost recovery for CRDP shows that for every dollar spent on CRDP activity, \$0.88 was recovered. As with FOAEA fees, the CRDP fees do not directly support FLAS activity, as they become part of federal general revenue. Nonetheless, for the year 2010-11, it can be said that the fees paid for a substantial portion of the government’s activity related to CRDP.

Initiatives to improve FLAS operational efficiency

In assessing operational efficiency, it is important to note a number of constraints on FLAS. FLAS is a government-wide system which is essentially reactive in nature. That is, FLAS has no control over the volume of applications or inputs, which rise steadily. It also operates in an environment in which overall efficiency is to a certain extent dependent on the capacity of provinces and territories to meet technical requirements which could make FLAS operations more efficient (e.g. through automated electronic exchange of information with provinces and territories rather than data entry). During the SFI, potential increases in operational efficiency of FLAS have also been constrained by the fact that the federal government has thus far not introduced legislative changes in relation to sections of FOAEAA that could impact processes positively. A further constraint is with regards to a rising demand for FLAS services without an increase in federal funds for its operations during the SFI.

In the context of these constraints, FLAS has focused throughout the SFI on systems’ efficiency as its primary approach to operational efficiency. It has consistently made improvements and updated its systems. FLAS has negotiated and coordinated changes to electronic processes with MEP counterparts in the provinces and territories and other federal departments. It has also built

on the capacity to move away from reliance on manual data entry by introducing the capacity for electronic capture of data through the introduction of a new online form and providing online access to the courts. Further, investments in an improved Interactive Automated Voice Response System have enhanced service to clients. Other activities which FLAS has focused on included electronic rather than manual processing of certain processes, the revision of business processes with federal partners and the introduction of a number of audit trail and quality assurance mechanisms to ensure greater data integrity and security.

4.3.3. Analysis of Allocative Efficiency

Allocative efficiency examines the relationship between resources consumed and outcomes achieved, that is whether the resources consumed were reasonable for the outcomes achieved in light of the activity's context, priorities and alternatives. Analyses were undertaken that focused on two areas of activity under the SFI: (1) the provision of two key family justice services, i.e. mediation and parent education programs, and (2) the garnisheeing of designated federal moneys (FOAEAA Part II). As with the analysis of operational efficiency, these areas were chosen because of the availability of data - in this analysis concerning outcomes - that can be expressed in dollar terms. There are limitations with the data which are identified in this section of the report. Also, it is important to note that the federal investment in mediation and parent education programs can result in more than one outcome that has potential savings for more than one group (i.e., parents, families, courts, governments). For the purpose of this evaluation, the analysis of allocative efficiency was restricted to the data that was available to assess the potential benefits of this investment.

Mediation

This analysis used findings from a study by Leger Marketing in June 2008 of the Québec mediation program⁶⁰. This study determined that average costs incurred by individuals and their ex-spouses who received a judgment in Superior Court after having completed mediation were \$1,794, versus \$3,324 for those who did not use mediation, or a difference of \$1,530 per respondent. It should be emphasized that this analysis was for Quebec; it is unknown how well it applies to other jurisdictions. However, as a preliminary analysis, when applied to cases in six other jurisdictions drawn from a review of SFF files, it was shown that individuals and their ex-

⁶⁰ <http://www.justice.gouv.qc.ca/francais/publications/rapports/etude-med-f.htm> p.28

spouses who participated in mediation versus litigation saved on average \$1.60 for every \$1 of federal contribution. This is only one of the potential benefits that can be calculated with regards to participation in mediation.

If comparable studies were undertaken in other jurisdictions, this ratio could be higher or lower, but the strength of the Quebec data suggests that the federal investment will usually result in savings for the individuals involved in mediation. This is a financial benefit that does not accrue to the federal government; however, it is nonetheless a tangible financial benefit to Canadians who access mediation that exceeds the value of the federal investment. In addition, it should be seen in combination with other more qualitative benefits of mediation as a process that is more likely than court litigation to meet the SFI's objectives of enhanced capacity of parents to reach appropriate custody, access and support agreements.

Parent education programs

As with mediation, a cost analysis was undertaken that relates to outcomes of federal investments in parent education programs through the FJI⁶¹. It should be noted that although parent education programs have common features such as a focusing on the best interests of the child and encouraging of reduced conflict through parental communication, they are offered in different ways in different jurisdictions (e.g. mandatory versus voluntary, in-person versus distance training, length of sessions, and number of participants). Cost data was not sufficient to permit a differential analysis that would take into account these variations.

Analyses of savings for parent education program participants

This analysis used feedback from a national survey of parents⁶² who had participated in both a parent education program and a mediation program, and who indicated that they were influenced by the parent education program to pursue their case by mediation rather than by court. By again applying the savings figure from the Leger Marketing study to a data set involving nine provinces and territories, determining the number of cases and the overall federal contributions involved, it was determined that every \$1 of federal contribution has helped the individual and ex-spouse save \$0.71 because of its impact on their decision to pursue mediation. This financial

⁶¹ The FJI is the component of the SFF that provides multi-year funding to provinces and territories including for the delivery of family justice services and programs.

⁶² SFI Parent Survey

benefit can be considered a significant amount in relation to the federal investment and once again is only one indication of the potential savings.

Summary of mediation and parent education program cost savings

These analyses have used data which permit quantification of cost savings to individuals. There are other potential benefits of mediation which are either less readily quantified (e.g. reduction in stress, improved emotional well-being of the child, improved communication between parents) or where analyses have not been undertaken in the jurisdictions (e.g. pertaining to work time losses, loss of jobs). Nonetheless, these two analyses have shown that every \$1 of federal contribution results in cost-savings to ex-spouses of \$1.60 and for every \$1 of federal contribution to parent education programs results in a cost saving to parents of \$0.71. As with mediation, there are other potential benefits that were not included in this analysis.

Garnisheeing of designated federal moneys

Part II of FOAEAA allows for the garnishment of designated federal moneys payable to individuals who owe family support. This analysis compared the expenditures and revenues related to this activity with the amount of dollars garnisheed. It used data only for 2010-11, as it was only in that year that a breakdown of FOAEA Part II costs was available. The amount garnisheed in 2010-11 as a result of FOAEA Part II was \$163,622,692, while the net costs to the federal government after collection of administration fees was \$23,709. In other words, for every net dollar spent by the federal government on FOAEA Part II activity, \$6,901.29 ($\$163,622,692/\$23,709$) is collected to satisfy family support. The garnisheed amounts are distributed to the courts and/or the MEPs in the provinces and territories for the benefit of the parent who is owed family support (or in some cases, to reimburse provincial social assistance departments to whom the support debt has been assigned). Thus, although this amount does not return as a direct benefit to the federal government, it directly benefits Canadian families.

4.3.4. Future Analyses of Efficiency and Economy

The challenges in undertaking the resource utilization analysis and limitations of the data have been described at various points in the analyses presented here. Insofar as analyses of resource utilization will be required in the evaluation of any future initiatives, it is important that a base be laid early in the initiative that will make more systematic analyses feasible.

5. CONCLUSIONS

This section summarizes the key findings arising from the evaluation in relation to the broad issues of relevance and performance.

5.1. Relevance

Continued need for the program

The SFI activities are addressing many of the significant needs of families. Although some progress has been made, there continues to be a need for specific legal information that addresses the needs of families who are from linguistic or cultural minorities and those living in remote communities. Also the complex needs of high conflict parents are not being completely addressed and those cases are creating the need for additional attention to the issue in the family justice system. Information alone is not sufficient for some of these families. Access to timely, low cost and accurate legal information at certain points in the legal process is particularly important for SRLs, who are an increasing proportion of family justice system users.

There is a continued need for a comprehensive national program to address the diverse needs of families experiencing separation and divorce. The Action Committee on Access to Justice in Civil and Family Matters stressed the continuing need for family justice services.⁶³ The CCSO-FJ has also made a business case emphasizing the need for continuity of services and programs by federal, provincial and territorial governments to support separating and divorcing clients of the family justice system, and advocating for sustained, long-term funding from the federal government to help the provinces and territories maintain and continuously improve the delivery of these services.

⁶³ Action Committee on Access to Justice in Civil and Family Matters (2013). Access to Civil and Family Justice: A Roadmap for Change.

Alignment of the SFI with government priorities

SFI activities, outputs and the ultimate outcome for this Initiative are fully aligned with the Justice Canada's strategic outcome of a *fair, relevant and accessible Canadian justice system*.

The comprehensive leadership, assistance and investment activities undertaken by the SFI are also aligned with the federal government commitment *to ensure that Canadian families experiencing separation and divorce will continue to be well served*.⁶⁴

The SFI also supports activities, programs and services directed towards assisting parents to comply with their custody, access and support obligations, which is aligned with the federal government priority *to build a stronger society that promotes respect for the law*.⁶⁵ All of the federal, provincial and territorial representatives interviewed for the evaluation felt that the SFI has contributed to meeting this objective.

Alignment of SFI with federal roles and responsibilities

Family law in Canada is an area of shared jurisdiction between the federal and provincial and territorial governments, as a result of the distribution of legislative powers under the *Constitution Act, 1867*. The leadership, assistance and investment activities undertaken by FCY are fully aligned with the federal government's mandate in relation to its legislative authority under the *Divorce Act*, FOAEAA and GAPDA. SFI activities are consistent with its role in the development of family law and policy work nationally and internationally, facilitating collaboration and partnership building among the jurisdictions, supporting the ongoing quality improvement and innovation of family justice services and programs in the jurisdictions, mainly achieved through the SFF and the development of PLEI at the federal level.

Although the roles and mandates of the federal government are distinct from those of the provinces and territories, the different governments work together within a clearly defined structure of collaboration. This ensures that the SFI contributes to: addressing issues of access to justice and parental compliance with custody, access and support obligations; helping mitigate the negative effects of separation and divorce; and ensuring that the best interests of the child remain at the heart of family justice.

⁶⁴ Department of Justice (September 6, 2008). New Initiative to Support Families Experiencing Separation and Divorce (News Release).

⁶⁵ Government of Canada. Speech From the Throne, April 4, 2006.

5.2. Performance - Achievement of Expected Outcomes

Federal, provincial and territorial capacity

The SFI has strengthened the federal capacity to respond to and address the needs of families experiencing separation and divorce through leadership, assistance and investment activities undertaken through the Initiative. The key legislative role of the federal government related to the *Divorce Act*, the FOAEAA and GAPDA was limited due to the lack of federal legislative amendments during the SFI.

The SFI activities have enhanced the capacity of the provinces and territories to provide and deliver family justice services that meet the needs of families experiencing separation and divorce. Some of the most significant achievements include: grant and contribution funding to support activities; programs and services that meet the needs of families in the provinces and territories; partnership building between the jurisdictions which supports effective program planning and policy development; the development of widely-used federal PLEI material; and the provision of federal enforcement services that assist the MEPS in their support enforcement related activities.

Enhanced awareness and understanding of parental obligations, compliance and the family justice system

The activities of the SFI have enhanced parental awareness of the family justice system, their custody, access and support obligations, and compliance. Parent education programs are the best means of enhancing parental awareness and have made a significant contribution to cultural shifts in thinking about parental responsibilities. These include the importance of placing the needs of children at the centre of custody, access, and support agreements and the value of mediation as a means of reaching custody and support agreements.

The SFI has also contributed to enhancing the knowledge and awareness of legal professionals, particularly through the funding of specialized training and the development and distribution of PLEI.

Expanded accessibility of family justice programs and services

The SFI has dedicated significant resources to increasing the accessibility of family justice services and programs to families although some issues still remain. Access is most effectively achieved through parent education programs, enforcement assistance delivered through the

provinces and territories, dissemination of PLEI, and federal, provincial and territorial partnership building and collaboration. However, some groups are considered to have continuing issues of accessibility (e.g. First Nations, specific linguistic and cultural minorities and high conflict parents).

Improved efficiency of enforcement tools and services

The SFI has also contributed to improvements at the federal level by addressing system efficiencies, improving business practices, adding new sources of garnishable moneys, and enhancing electronic transfer of enforcement information to and from the jurisdictions so that provincial and territorial efforts to support compliance can be simplified and more efficient. The SFI has also supported the provinces and territories through improvements in enforcement systems and technologies, the hiring of specialized enforcement staff, and assistance with participation in national data collection.

Enhanced capacity and ability of parents to reach agreements and comply

The SFI has had a significant role in enhancing the capacity of parents to reach appropriate custody, access and support agreements and compliance with custody and access agreements. This was achieved particularly through the funding of services and programs such as mediation, parent education, and the development and distribution of PLEI products.

Increased parental compliance with financial support obligations

The SFI has made progress towards increased parental compliance with their financial obligations through services and programs funded under the SFF, as well as PLEI and service improvements provided through FCY. Aspects of the SFI services and activities that were seen to contribute the most to compliance were those provided under FOAEAA and GAPDA, technical and systems assistance provided to the MEPs, funding of recalculation services to help keep child support payments in line with earnings, and the availability of new sources of moneys for garnishments.

Increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce

Considered as a whole, the SFF leadership, assistance and investment activities have led to the achievement of direct and intermediate outcomes that have resulted in improvements to the effectiveness of the family justice system in addressing the needs of families experiencing

separation and divorce. These include the funding for family justice services, programs and activities that support parental awareness, enhance accessibility to services, and support parental compliance with their custody, access and support responsibilities.

Mediation, parent education programs, family justice information centres and enforcement related services are associated with the highest levels of parent satisfaction.

5.3. Performance - Demonstration of Efficiency and Economy

The SFI has been administered economically, but the level of salary and O&M resources were not sufficient to meet the demands placed on FLAS for systems upgrades and for its operation between 2009 and 2013.

The administration of both the SFF and FLAS has been shown to have high levels of operational efficiency. The administrative costs as a percentage of total operating costs are low, as is the resulting efficiency ratio. In addition to having a low administrative efficiency ratio, the PDU meets and exceeds the Justice Canada service standards for the administration of the SFF 100% of the time.

In addition to helping to achieve the outcomes of the SFI, the SFF support of mediation services and parent education programs has had a positive impact on reducing costs for families. Although this is not a direct cost savings to the federal government, it is an indication of the multiplying effect of the federal investment and one of the measurable benefits of supporting these programs and services. The outcomes for parents of FLAS activities are also substantial when compared to the amount of federal net expenditures.

6. RECOMMENDATIONS AND MANAGEMENT RESPONSE

This section presents the recommendations and management response relative to the main evaluation findings.

Strengthening federal capacity to respond/address needs of families experiencing separation and divorce

The SFI has made progress towards strengthening federal capacity to respond to and address the needs of families experiencing separation and divorce. This is accomplished through leadership, assistance and investment activities undertaken through the Initiative. However, the key legislative role of the federal government related to the *Divorce Act*, the FOAEAA and GAPDA was limited due to the inability to make federal legislative amendments during the SFI. In the absence of legislative amendments, FCY continues to address the needs of families through policy development activities.

Recommendation 1:

That FCY advance efforts to address the needs of families through policy instruments and related activities and further develop options to improve and update federal legislation (*Divorce Act*, FOAEAA and GAPDA) to promote effectiveness and efficiencies and to keep pace with the evolving needs of families experiencing separation and divorce.

Management Response:

Agreed. FCY continues to monitor the *Divorce Act*, the FOAEAA and the GAPDA to identify whether any improvements or updates are necessary. Furthermore, FCY has developed and implemented amendments to regulations under federal family laws to improve the family justice system and will continue to do so as necessary.

A flexible approach is required when legislative reform cannot be advanced. Activities can be adjusted to allow for other types of policy instruments to meet objectives. FCY PLEI activities have had enormous success in raising parents' awareness of the consequences of their separation or divorce on their children which in turn has helped them focus on what is best for their children. Other examples include: professional training resources (such as material on high conflict relationships), professional tools (such as advisory guidelines or the tax toolkit), and the successful family justice services which have become the cornerstone of the family justice system.

Trends in Canadian families towards more instability in relationships and marriages as well as increasing complexity due to multi-layered blended and often multi-cultural families indicate that family life and negotiating separation and divorce will continue to get more complex. However, resources remain limited. FCY recognizes the need to continue to find efficiencies to keep pace with the evolving and varying needs of each family experiencing separation and divorce. By working with provincial and territorial governments, FCY can identify options that address these needs.

Building national data

Developing national data collection and research in the area of family justice is one of the main priorities identified by the CCSO-FJ. Statistics Canada is no longer collecting national data on marriage and divorce on an annual basis. The ability to track emerging trends that help identify the needs of parents is contingent on collaborative data collection efforts, two of which are national justice surveys (CCS and SMEP) supported by the SFI.

Recommendation 2:

That FCY renew efforts to address the need for national family justice data.

Management Response:

Agreed. One of the prime opportunities to build national data remains leveraging the value of administrative data bases already maintained by the provinces and territories. Engaging jurisdictions to secure their participation remains a challenge, which must be overcome in order to realize progress and enable subsequent studies that would build upon them.

FCY will continue to work with the provinces and territories to emphasize the importance of complying with national CCSO-FJ led data initiatives in order to be able to build metrics that measure efficiencies and effectiveness in terms of economic savings to government.

Expanded accessibility of family justice programs and services

The SFI has dedicated significant resources to increasing the accessibility of family justice services and programs to families. However, some accessibility issues still remain. Those with cultural and linguistic needs other than French and English and families who are living in remote communities were still not being adequately reached. Mandatory parent education, enforcement tools and services and PLEI resources and services were considered to be the best means of mitigating these accessibility issues.

Access to timely, low cost and accurate legal information at certain points in the legal process is particularly important for SRLs who are an increasing proportion of family justice system users. However, the provision of PLEI for some families is not always sufficient in meeting their needs as is the case with high conflict parents.

Recommendation 3:

That FCY advance efforts in working with the provinces and territories to facilitate access to the family justice system for families experiencing separation and divorce and in particular for communities that face barriers.

Management Response:

Agreed. The federal, provincial and territorial governments share responsibility for providing access to family justice system for families experiencing separation and divorce. The FCY recognizes an effective federal, provincial and territorial collaboration and partnership is necessary to advance this goal. Therefore, the FCY will continue its policy and program development efforts in partnership with provinces and territories through the CCSO-FJ Committee aimed at meeting the diverse needs of families experiencing separation and divorce. The FCY will also continue to manage funding support to provinces and territories and NGOs for maintenance and expansion of family justice program and services and development of information and training resources for target populations. In particular, the needs of those who are facing barriers in accessing the family

Justice system such as members of cultural and linguistic minority communities, self represented litigants, those living in rural and remote communities and families in high conflict situations will be further addressed.

Improved capacity in provinces and territories to provide and deliver family justice services

The SFI is the seventh consecutive federally-funded initiative in the area of family law/family justice implemented by Justice Canada. Since the mid 1980's, federal funding has been provided to the provinces and territories to support services and programs that assist separating and divorcing families.

The leadership, assistance and investment activities provided through the SFI have continued to enhance the capacity of the provinces and territories to provide and deliver family justice services. Evidence from interviews and case studies indicated that there is a need for continued federal funding for family justice initiatives and, more importantly, stable funding (non-initiative based) to allow for effective planning and resourcing for program delivery (i.e., staffing in Family Law Information Centers).

The CCSO-FJ has also made a business case emphasizing the need for sustained, long-term funding from the federal government to help the provinces and territories maintain and continuously improve the delivery of these services.

Recommendation 4:

That options for more stabilized funding to support the delivery of programs and services for families experiencing separation and divorce be examined.

Management Response:

Agreed. The evaluation of the SFI has shown that the provision of federal funding has been critical in developing many of the programs and services that divert family justice clients from the court system and help reduce the impact of relationship breakdown on families and children. The range of programs supported by federal funding includes: mediation; parent education and information programs; supervised access; support enforcement and recalculation services. Provinces and territories have indicated that the absence of a long-term and reliable funding source has made it challenging for them to develop new

programs or services, and to sustain existing programs which have been evaluated and determined to be effective.

The FCY will seek on-going funding to continue its family justice related activities at the federal and provincial and territorial levels and to support the delivery of programs and services that meet the diverse needs of families experiencing separation and divorce.

Demonstration of efficiency

This evaluation provided a first step in assessing the use of resources for the SFI. Insofar as analyses of resource utilization will be required in the evaluation of any future initiatives, it is important that a base be laid early in the initiative that will make more systematic analyses feasible in the future.

Recommendation 5:

That FCY review their performance measurement strategy to determine what information can be collected to address resource utilization.

Management Response:

Agreed. As efforts in this evaluation have demonstrated, finding relevant and useable costing data in the area of family law is difficult. In considering the current results, efforts will need to be mindful of the dearth of national family law data generally (see recommendation 2), as well as the variability among provincial and territorial programs, services, and systems. Ongoing dialogue and collaboration with provinces and territories will continue under the CCSO-FJ Research Subcommittee, in order to build capacity to look further into resource utilization. FCY in collaboration with the Evaluation Division will be looking at their performance strategy for supporting the analysis of the resource utilization. Additional leadership and assistance may be required from central agencies to identify requirements and expectations.

Appendix A:
Data Collection Instruments

Guide for the Review and Extraction of Data from the Supporting Families Experiencing Separation and Divorce Initiative (SFI) Sub-Studies & Other Data Sources

1a. Data Sources: SFI Sub-studies and Related Reports

1. Historical Evolution of Federal Family Justice Policy in Canada *
2. Family, Children and Youth Section (FCY) Parent Survey
3. General Social Survey
4. Statistics Canada
5. Court File Review
6. Survey of Family Courts
7. Family Justice Strategic Framework
8. SFI Outcomes Study *
9. National Family Law Program Survey
10. Implementation Assessment of the SFI *
11. National Trace and Locate Survey
12. Systemscope Report (Website and 1-800#)
13. Survey of Maintenance Enforcement Programs (SMEP)/Maintenance Enforcement Program (MEP) Data (including MEP Directors Working Group Reports)
14. Spousal Support Advisory Guidelines Sub-study *
15. *Family Orders and Agreements Enforcement Assistance Act* (FOAEA) Management Reports

* Specifically defined as sub-studies

1b. Specific Evaluation Questions to be Reviewed in Relation to these Sources

16. To what extent does the SFI address the needs of Canadian families experiencing separation and divorce?
17. To what extent has the SFI made progress toward strengthening the federal capacity to respond/address to needs of families experiencing separation and divorce?
18. To what extent has the SFI made progress toward improved capacity in the provinces and territories (P/Ts) to provide and deliver family justice services?
19. To what extent has the SFI made progress toward the expanded accessibility of family justice programs and services?

20. To what extent has SFI made progress toward enhanced awareness and understanding of parental obligations, compliance and the family justice system?
21. To what extent has the SFI made progress toward improved efficiency in enforcement tools and services?
22. To what extent has the SFI made progress towards the enhanced capacity of parents to reach appropriate custody, access and support agreements?
23. To what extent has the SFI made progress toward enhanced ability of parents to comply with custody/access responsibilities?
24. To what extent has the SFI made progress toward increased parental compliance with financial obligations?
25. To what extent has the SFI made progress toward increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce?
26. Has the SFI's resource utilization been appropriate in relation to the activities and outputs produced and its progress toward expected outcomes?
27. To what extent has the SFI made progress toward increased parental compliance with financial obligations?
28. To what extent has the SFI made progress toward increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce?
29. Has the SFI's resource utilization been appropriate in relation to the activities and outputs produced and its progress toward expected outcomes?

2a. Coordinating Committee of Senior Officials-Family Justice (CCSO-FJ) Sub-committee and Working Groups Work Plans, Meeting Minutes, Reports

2b. Evaluation Questions to be Addressed by these Data Sources

30. To what extent does the SFI address the needs of Canadian families experiencing separation and divorce?
31. To what extent are SFI goals and objectives aligned with federal government priorities?
32. To what extent are SFI goals and objectives aligned with departmental strategic outcomes?
33. To what extent is the SFI aligned with the federal government's roles and responsibilities in the areas of family justice?
34. To what extent has the SFI made progress toward strengthening the federal capacity to respond/address to needs of families experiencing separation and divorce?

3a. FCY Administrative File Data (meeting notes, records of decision, regulations)

3b. Evaluation Questions to be Addressed by these Data Sources

35. To what extent does the SFI address the needs of Canadian families experiencing separation and divorce?
36. To what extent are SFI goals and objectives aligned with federal government priorities?
37. To what extent are SFI goals and objectives aligned with departmental strategic outcomes?
38. To what extent has the SFI made progress toward strengthening the federal capacity to respond/address to needs of families experiencing separation and divorce?
39. To what extent has the SFI made progress toward improved capacity in the P/Ts to provide and deliver family justice services?
40. To what extent has the SFI made progress toward the expanded accessibility of family justice programs and services?
41. To what extent has the SFI made progress toward improved efficiency in enforcement tools and services?
42. To what extent has the SFI made progress toward increased parental compliance with financial obligations?
43. Has the SFI's resource utilization been appropriate in relation to the activities and outputs produced and its progress toward expected outcomes?

4a. Exit Surveys (Mediation/Parent Education)

4b. Evaluation Questions to be Addressed by these Data Sources

44. To what extent does the SFI address the needs of Canadian families experiencing separation and divorce?
45. To what extent has the SFI made progress toward the expanded accessibility of family justice programs and services?
46. To what extent has SFI made progress toward enhanced awareness and understanding of parental obligations, compliance and the family justice system?
47. To what extent has the SFI made progress toward enhanced capacity of parents to reach appropriate custody, access and support agreements?
48. To what extent has the SFI made progress toward increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce?

5a. High Conflict Training Curriculum: Exit Surveys

5b. Evaluation Question to be Addressed by this Data Source

49. To what extent has the SFI made progress toward increased effectiveness of the family justice system in addressing the needs of families experiencing separation and divorce?

6a. Government of Canada Policies and Direction

50. To what extent are SFI goals and objectives aligned with federal government priorities?

Supporting Families Fund (SFF) File Review Guide: P/T Family Justice Initiatives (FJI)

I. Baseline

1. Name of Project/Component in Annual Report: _____
2. Description of purpose and nature of project funding:

3. Jurisdiction:
 - British Columbia
 - Alberta
 - Saskatchewan
 - Manitoba
 - Ontario
 - Quebec
 - New Brunswick
 - Nova Scotia
 - Prince Edward Island
 - Newfoundland and Labrador
 - Yukon
 - Northwest Territories
 - Nunavut
4. Year of Funding:
 - 2009-2010
 - 2010-2011
 - 2011-2012
 - 2012-2013
 - Multi-year
5. Length of project
 - One year
 - Multi-year

6. Funding: Federal contribution to the project: \$ _____
P/T Contribution: \$ _____
Total funding: \$ _____
Percentage federal funding: _____ %
7. What Program Area Activity (PAA) is this project classified under?
- 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7

II. Description of Project

8. What is the primary area addressed by this project/component? (Note: The categories below are usually listed under the indicated PAA, but are sometimes found under other PAAs)

PAA 1

- 1. Supporting CCSO-FJ committee involvement by the P/Ts
- 2. Managing/coordinating SFF fund at the P/T level

PAA 2

- 3. Enhancement of parent education (general)
- 4. Enhancement of parent education (high conflict)
- 5. Enhancement of mediation or other alternative dispute resolution (e.g. conciliation)
- 6. Enhancement of support enforcement services directed to parents (e.g. recalculation services)
- 7. Family Law Information Services (e.g. Family Law Information Centres, Justice Access Centres or provision of other direct information)
- 8. Other under PAA 2

PAA 3

- 9. Developing or streamlining triage and referral services for separating and divorced parents (including Parent Coordination)
- 10. Court-based programs to assist self-represented litigants
- 11. Development and implementation of Supervised Access and Exchange Services, including follow-up programs related to S.A. issues
- 12. Other under PAA 3

PAA 4

- 13. Enhancement of P/T capacity to enforce child support through policies, search mechanisms, legislation
- 14. Improvement to business procedures and software/hardware systems related to support enforcement
- 15. Training of service delivery providers (e.g. MEP staff)
- 16. Development or streamlining of court enforcement processes
- 17. Development/improvement of communication and information services for the public related to support enforcement, including court forms
- 18. Other under PAA 4

PAA 5

- 19. Support to P/T staffing and legal costs to facilitate inter-jurisdictional enforcement processes (e.g. counsel for default hearings, notaries to swear ISO applications)
- 20. Revision of legislation, forms, policies, systems for ISOs
- 21. Other under PAA 5

PAA 6

- 22. Needs/feasibility assessment research
- 23. Program evaluation and evaluation framework studies
- 24. General research or policy development
- 25. Other under PAA 6

PAA 7

- 26. Production and distribution of public legal education and information (PLEI) materials
- 27. PLEI or communication mechanisms and activities (e.g. toll-free information lines, advertising campaigns, workshops, websites)
- 28. Other under PAA 7

9. Was this project/component intended as an outreach activity specifically related to increasing access to justice?
1. Yes 2. No 3. Not applicable (e.g. project directed towards systems, not individuals)
10. (If Yes to Q. 9) To what types of individuals or groups was this program directed (more than 1 answer possible?)
- People in rural/remote communities
 - Aboriginal children and youth
 - Aboriginal women
 - Aboriginal men
 - People from the other official language (usually French)

- People from a minority ethnic/cultural/linguistic group

Specify: _____

11. (If No to Q. 9) To what types of targeted individuals or groups was this program directed? (more than 1 answer possible)

- General public (adults)
- General public (children and youth)
- Mothers who are separated/divorced (general)
- Fathers who are separated/divorced (general)
- Mothers from high conflict families
- Fathers from high conflict families
- Self-represented litigants
- Parents who are leaving abusive relationships
- Family justice program staff (program managers, staff lawyers, staff mediators, support staff, paralegal staff)
- Court officials
- MEP enforcement officials
- Private mediators
- Judiciary
- Private lawyers
- Other: _____

III. Outcomes of Programs

12. Did this project complete all primary objectives or tasks? (From verification report)

- NO – If not, what objectives or tasks were not addressed? _____
- YES
- NO DATA

13. (If No to Q. 12) Was non completion attributable to:

- Federal factors
- P/T factors
- Both
- Other (Specify): _____

Explain reasons for non-completion:

14. Does the performance report provide data on outputs of the initiative (e.g. numbers served or who participated in project; locations reached; # of PLEI products)?

- NO
- YES

↳ Describe key findings:

15. Does the performance report provide data on outcomes of the initiative (e.g. settlement rates; changes in awareness of obligations; increased knowledge; satisfaction; diversion from court; changes in compliance with access; changes in exercise of access rights; impacts on clients)

- NO
- YES

↳ Describe key findings:

16. Did this project/component deal specifically with:

- 1. The intersection with the criminal justice system 1. Yes 2. No
- 2. The use of technology 1. Yes 2. No

17. Which of the following objectives did this project address?

- 1. Strengthened federal capacity to respond to or address the needs of families experiencing separation or divorce (4a1) 1. Yes 2. No
- 2. Improved capacity in P/Ts to provide and deliver family justice services (4a2) 1. Yes 2. No
- 3. Expanded accessibility of custody, access and support services (4b1) 1. Yes 2. No
- 4. Enhanced awareness/understanding of parental obligations, compliance and the FJS (4b2) 1. Yes 2. No
- 5. Improved efficiency in enforcement supports and services (4b3) 1. Yes 2. No
- 6. Enhanced capacity of parents to reach appropriate custody, access and support agreements (4b4) 1. Yes 2. No
- 7. Enhanced ability of parents to comply with custody/access agreements (4b5) 1. Yes 2. No
- 8. Increased parental compliance with financial support obligations (4b6) 1. Yes 2. No

SFF File Review Guide: PLEI and P/Ts Pilot Project

I. Baseline

1. Name of Project: _____

2. Description of purpose and nature of project funding:

3. Type of project

PLEI

Pilot

4. Jurisdiction:

British Columbia

Alberta

Saskatchewan

Manitoba

Ontario

Quebec

New Brunswick

Nova Scotia

Prince Edward Island

Newfoundland and Labrador

Yukon

Northwest Territories

Nunavut

5. Year of Funding:

2009-2010

2010-2011

2011-2012

2012-2013

Multi-year

6. Length of project

Up to one year

Multi-year

7. Funding: Federal contribution to the project: \$ _____

II. Description of Project

8. What is the primary area addressed by this project?

Innovative/integrated Family Justice Services

1. Parent education program and/or enhancements;
2. Mediation or enhanced mediation;
3. Recalculation services;
4. Expansion of family justice and information services to rural and/or Aboriginal populations and/or outreach to language groups;
5. Development/enhancement of computer systems to support integration (e.g., case management systems, software licences, Auto-Orders, enhancements to MEP systems, connectivity to FOAEA, data filling);
6. Development/implementation of alternative models to current system (including administrative models);
7. Activities relating to streamlining court processes;
8. Training of family law professionals in mediation
9. Training of family law professionals in assessment of high conflict
10. Information to assist self-represented litigants

Supervised Access

11. Development and implementation of Supervised Access/Supervised Exchanges programs;
12. Development of checklists to improve decisions about supervised versus unsupervised access
13. Training of family law professionals to provide supervised access

Support Enforcement and Compliance Activities

14. Improving coordination between and/or within ministries within a P/T to better enforce court support orders

P/T Inter-jurisdictional Support Orders (ISOs)

15. Updating and development of ISO forms and guides

Research/Evaluation/Feasibility/Monitoring

16. Evaluating and monitoring the results of pilot projects and other services.

Public Awareness/Understanding of Family Justice System

17. Communication or law information activities (e.g. toll-free information lines, advertising campaign, websites);
18. Production and distribution of communication or law information materials (e.g., brochures, videos, information packages) that promote the benefit to parents and children of compliance with family obligations and address the needs of communities facing barriers in accessing the family justice system;

- 19. Training of family law professionals and service providers on aspects of family law related to support, custody and access
- 20. Provision of information on Spousal Support Advisory Guidelines
- 21. Development of family law materials specifically for children and youth
- 22. Development of self-help materials on support, custody and access
- 23. Development of information materials on tax-related issues in family law
- 24. PLEI addressing financial issues in separation and divorce
- 25. Determination of best practices to hear the voice of the child in family law court and other processes

Other

26. Other (as described in Q. 2)

9. Was this project intended as an outreach activity specifically related to increasing access to justice?

1. Yes 2. No 3. Not applicable (e.g. project directed towards systems, not individuals)

10. (If Yes to Q. 9) To what types of individuals or groups was this project directed? (more than 1 answer possible)

- People in rural/remote communities
- Aboriginal children and youth
- Aboriginal women
- Aboriginal men
- People from the other official language (usually French)
- People from a minority ethnic/cultural/linguistic group

Specify: _____

11. (If No to Q. 9) To what types of targeted individuals or groups was this program directed? (more than 1 answer possible)

- General public (adults)
- General public (children and youth)
- Mothers who are separated/divorced (general)
- Fathers who are separated/divorced (general)
- Mothers from high conflict families
- Fathers from high conflict families
- Self-represented litigants
- Parents who are leaving abusive relationships
- Family justice program staff (program managers, staff lawyers, staff mediators, support staff, paralegal staff)
- Court officials
- MEP enforcement officials

- Private mediators
- Judiciary
- Private lawyers
- Other: _____

III. Outcomes of Programs

12. Did this project complete all primary objectives or tasks? (From verification report)
- NO – If not, what tasks were not completed? _____
 - YES
 - NO DATA

13. (If No to Q. 12) Was non completion attributable to:
- Federal factors
 - Project factors
 - Both
 - Other (Specify): _____

Explain reasons for non-completion:

14. Does the final report provide data on outputs of the initiative (e.g. numbers served or who participated in project; locations reached; # and type of PLEI products?)
- NO
 - YES
 - ↳ Describe key findings:

15. Does the final project report provide data on outcomes of the initiative (e.g. settlement rates; changes in awareness of obligations; increased knowledge; satisfaction; diversion from court; changes in compliance with access; changes in exercise of access rights; impacts on clients)

- NO
 YES

↳ Describe key findings:

16. Did this project deal specifically with:

- | | | |
|--|--------|-------|
| 1. The intersection with the criminal justice system | 1. Yes | 2. No |
| 2. The use of technology | 1. Yes | 2. No |

17. Which of the following objectives did this project address?

- | | | |
|--|--------|-------|
| 1. Strengthened federal capacity to respond to or address the needs of families experiencing separation or divorce (4a1) | 1. Yes | 2. No |
| 2. Improved capacity in P/Ts to provide and deliver family justice services (4a2) | 1. Yes | 2. No |
| 3. Expanded accessibility of custody, access and support services (4b1) | 1. Yes | 2. No |
| 4. Enhanced awareness/understanding of parental obligations, compliance and the family justice service (4b2) | 1. Yes | 2. No |
| 5. Improved efficiency in enforcement supports and services (4b3) | 1. Yes | 2. No |
| 6. Enhanced capacity of parents to reach appropriate custody, access and support agreements (4b4) | 1. Yes | 2. No |
| 7. Enhanced ability of parents to comply with custody/access agreements (4b5) | 1. Yes | 2. No |
| 8. Increased parental compliance with financial support obligations (4b6) | 1. Yes | 2. No |

SFI Evaluation: Case Study Interview Guide

I. Background and Interview Data

1. Name of initiative, service or program: _____
2. Type of Project/Initiative:
 - FJI
 - Pilot
 - PLEI
3. Is this project:
 - Completed
 - Ongoing
4. Jurisdiction:
 - British Columbia
 - Alberta
 - Saskatchewan
 - Manitoba
 - Ontario
 - Quebec
 - New Brunswick
 - Nova Scotia
 - Prince Edward Island
 - Newfoundland and Labrador
 - Yukon
 - Northwest Territories
 - Nunavut
5. Date of Interview: _____ / _____ / _____

d / m / y

6. Participants in case study interview:

Name	Position
1.	a.
2.	b.
3.	c.
4.	d.
5.	e.

II. Project Scope and Objectives

7. What is the key family justice issue/area that this project address (is addressing)?
- i. Parenting arrangements (custody and access)
 - ii. Compliance/enforcement support
 - iii. Support for children
 - iv. Training of legal professionals
 - v. Parent education/awareness (family law/family justice).
 - vi. Broader community education (family law/ family justice
 - vii. Improving efficiencies or business practices in management coordination or enforcement (e.g. support enforcement)
 - viii. Improving access to family justice
 - ix. Specialized assistance (high conflict parents)
 - x. Other. Describe: _____
8. Are these activities stand-alone or are they delivered within a broader range of service initiatives?
- Stand-alone
 - Part of a broader initiative
9. What is the scope of delivery of this project?
- One site
 - Multiple sites
 - Regional delivery
 - Available through the P/T
 - Other: _____
10. Brief description of the project(s) receiving SFI funding. (Note: if this is an ongoing program, describe enhancements to the program enabled by the funding):
- _____
- _____
11. How significant was the federal funding in terms of enabling your jurisdiction to implement this project?
- Highly significant – could not have implemented it without the funding
 - Very significant
 - Moderately significant
 - A little bit significant
 - Not really significant → question 13

12. (If project funding was significant in any way) In what way did the funding allow you to do things you might not otherwise have been able to do in this project?

13. (If a pilot project) Did your jurisdiction continue the project after completion of the pilot?

- Yes
 No → Why not?

III. Project Accessibility

14. What population has this activity been most directed to? (Check all that apply.)

- Separated mothers
 Separated fathers
 Separated mothers in high conflict situations
 Separated fathers in high conflict situations
 Other family members/caregivers involved with separated families
 Community at large
 Legal professionals (e.g. family lawyers, mediators, courtworkers)
 Youth
 Children
 Self-represented litigants
 Family justice programs staff/including support enforcement/systems staff
 Other. Describe: _____

15. Does the project address the needs of cultural or linguistic minority groups?

- YES NO

↳ Describe how this was achieved: _____

16. Does the project address geographic barriers to services and programs?

- YES NO

↳ Describe how this was achieved: _____

17. Does the project address other barriers affecting the access of separated/divorced parents to family justice programs and services?

- YES NO

↳ Describe how this was achieved: _____

IV. Assessment of the Impacts and Outcomes of the SFI-funded Project

18. A. To what extent has the project addressed the needs of families experiencing separation and divorce?

- To a very great extent
 To a great extent
 To a moderate extent
 To some extent
 To little or no extent → question 19

B. Please describe the specific ways the project has addressed these needs.

1. _____

2. _____

3. _____

4. _____

C. What strategies and methods did the project use to meet these objectives?

D. What evidence demonstrates the achievement of these objectives?

19. A. To what extent has this project helped parents gain an understanding of the family justice system?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent → question 20

B. Please describe the specific ways the project has achieved this objective.

1. _____

2. _____

3. _____

4. _____

C. What strategies and methods have been used to achieve this objective?

D. What evidence demonstrates the achievement of this objective?

20. A. To what extent has the project contributed to parents having an enhanced awareness and understanding of parental obligations and compliance in the areas of custody, access and support?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent → question 21

B. Please describe the specific ways the project has achieved this objective.

1.

2.

3.

4.

C. What strategies and methods have been used to achieve this objective?

D. What evidence demonstrates the achievement of this objective?

21. A. To what extent has your initiative contributed to improving the knowledge and skills of parents to help them reach appropriate custody, access and support agreements?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent → question 22

B. Please describe the specific ways the initiative has achieved this objective.

1.

2.

3.

4.

C. What strategies and methods have been used to achieve this objective?

D. What evidence demonstrates the achievement of this objective?

22. A. To what extent has this initiative contributed to enhancing the ability of parents to comply with their custody, access and support arrangements or agreements?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent → question 23

B. Please describe some specific ways this project has met this objective.

1. _____

2. _____

3. _____

4. _____

C. What strategies and methods have been used to achieve this objective?

D. What evidence demonstrates the achievement of this objective?

23. If this project involved high conflict parents please comment on strategies specifically addressing their needs and how these impacted on increased compliance.

24. A. Overall, to what extent has this project helped contribute towards the increased effectiveness and responsiveness of the family justice system in addressing the needs of families experiencing separation and divorce?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent → Thank the respondent and terminate the interview

B. Please describe the specific ways the initiative has achieved this objective.

1.

2.

3.

4.

C. What strategies and methods have been used to achieve this objective?

D. What evidence demonstrates the achievement of this objective?

Family Lawyer/Mediator Web-based Survey Questionnaire

I. Introduction

This survey asks for your observations on the needs of parents experiencing separation and divorce and on the impacts and outcomes of family justice services and programs funded by the Supporting Families Experiencing Separation and Divorce Initiative (SFI). The SFI is a federal Justice initiative that assists parents by providing support and funding to the provinces and territories for services such as government supported mediation, child support enforcement services, public legal education and information (PLEI), parenting after separation courses, supervised access, research and other services and programs. It is not necessary to have a detailed understanding of the SFI in order to complete this survey.

II. Respondent Practice Background

1. What is your practice background? (Please check only one answer.)
 - Family mediator (not a lawyer)
 - Family lawyer (who does not normally provide mediation)
 - Family lawyer/mediator (who regularly provides mediation services to clients)
 - Other family justice role if not described above: _____
2. How many years have you been involved in the practice of family law or family mediation?
 - Less than 5 years
 - From 5 to less than 10 years
 - From 10 to less than 20 years
 - 20 years or more
3. If you conduct family mediation related to custody, access or support, how much mediation have you completed in the last year?
 - None
 - 1 – 5
 - 6 – 10
 - 11 – 20
 - Over 20

4. In what jurisdiction is your practice primarily located?

- British Columbia
- Alberta
- Saskatchewan
- Manitoba
- Ontario
- Quebec
- New Brunswick
- Nova Scotia
- Prince Edward Island
- Newfoundland and Labrador
- Yukon
- Northwest Territories
- Nunavut

In all of the questions that follow, please give your answer in relation to the jurisdiction in which you primarily practice, as just indicated. The year 2009 is frequently referenced in the QUESTIONS; because that is the year the Supporting Families Initiative began.

III. Family Needs and Awareness

5. How aware do you think separated parents are of the availability of the following types of family justice services in your province or territory?

Service	Level of Parent Awareness					
	Very Aware	Quite Aware	Somewhat Aware	Not Very Aware	Not Aware	Unable to Assess
1. Education /information programs for separated parents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Government supported mediation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. PLEI on custody/access/support (pamphlets/books)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Web-based PLEI	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Child support enforcement services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Supervised access and exchange services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Post separation support for children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. How helpful do you think these services are for parents who have experienced separation and divorce?

Service	Helpfulness of Service				
	Very Helpful	Somewhat Helpful	Somewhat unhelpful	Very Unhelpful	Unable to Assess
1. Parent education/information programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Government supported mediation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. PLEI on separation & divorce (pamphlets/books)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Web-based PLEI	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Child support enforcement services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Supervised access and exchange services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Post separation support for children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

IV. Accessibility of Family Justice Services to Parents

7. Since 2009 do you feel that the degree of access by parents to the types of family justice services and programs described above has changed?
- Access has increased
 - Access has remained the same
 - Access has decreased
 - Unable to comment
8. To what extent are family justice services and programs available to parents in the more remote (less urban) geographic regions of your province or territory?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment
9. To what extent are family justice services and programs available to parents from cultural or linguistic minorities?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment

10. Since 2009 has there been a change in the frequency with which parents have accessed mediation services to address custody/access or child support?
- Use of mediation has increased
 - Use of mediation has remained the same
 - Use of mediation has decreased
 - Unable to comment

V. Custody and Access Agreements and Compliance

11. How aware are separated parents of their custody and access responsibilities?
- Very aware
 - Quite aware
 - Somewhat aware
 - Not very aware
 - Not aware at all
 - Unable to comments
12. How aware are separated parents of their child support responsibilities?
- Very aware
 - Quite aware
 - Somewhat aware
 - Not very aware
 - Not aware at all
 - Unable to comments
13. Since 2009 do you feel that separated parents have become generally more knowledgeable about the different processes that are available, such as mediation, to reach appropriate custody, access and support agreements?
- Much more knowledgeable
 - More knowledgeable
 - Knowledge seems about the same
 - Less knowledgeable
 - Much less knowledgeable
 - Unable to comment

14. To what extent are family justice professionals, such as yourself, aware of the factors (such as parent conflict) that make it difficult for parents to follow their custody, access and support agreements?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment
15. Since 2009 have parents shown an *increased* ability to meet their custody and access responsibilities?
- Greatly increased capacity
 - Increased capacity
 - Capacity about the same as it was pre-2009
 - Smaller capacity
 - Much smaller capacity
 - Unable to comment
16. To what extent have federal child support enforcement mechanisms such as federal garnishees of wages or the denial of licences encouraged parental compliance with their support obligations?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment
17. How frequently does parent involvement in mediation lead to parents being able to avoid going to court to handle custody and access?
- Most of the time
 - Some of the time
 - Not very often
 - Never
 - Unable to comment

18. Since 2009, to what extent have family justice services contributed to helping high conflict parents better comply with their custody and access agreements?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment

VI. Parent Satisfaction with Family Justice Services

19. In general, as a family justice professional, how satisfied are you with the types of government supported family justice services and programs that are currently available to families experiencing separation and divorce?
- Very satisfied
 - Somewhat satisfied
 - Both satisfied and dissatisfied
 - Somewhat dissatisfied
 - Very dissatisfied
 - Unable to comment

Thank you for responding to this survey!

Recruitment Script for Follow-up Interviews

We have one additional request.

We are hoping to talk to a small number of survey respondents by telephone in the next few weeks to discuss some of these questions in more depth. The interview would involve 15 minutes of your time. If you are willing to be contacted for this brief discussion, please enter your name, telephone number and email in the fields below. Apart from allowing us to contact you, the name and contact information you provide will remain confidential and will not be recorded on our interview questionnaire.

My name (first, last): _____

Phone number: (____) _____

Email: _____@_____

Family Lawyer/Mediator Semi-structured Interview Guide

The following questions will be asked in the follow-up interviews with web survey participants who have agreed to be interviewed. The questions explore issues included in the web survey in more depth. The questions are open-ended.

1. What are the most critical and emerging family justice needs for parents experiencing separation and divorce?
2. How well are these needs being addressed? What the gaps and limitations are in how needs are being addressed, including barriers to access?
3. How well are the needs of high conflict parents experiencing separation and divorce being addressed and what are the gaps in services?
4. How do family justice service programs such as parent education after separation, mediation or supervised access assist parents in better understanding their custody, access and support obligations? To what degree does understanding contribute to increased compliance?
5. In general, what contribution do family justice programs (including mediation) make in terms of helping parents comply with their custody/access and support agreements?
6. To what degree have federal policies and legislation (for example, related to the *Divorce Act* or to the *Federal Child Support Guidelines*) kept pace with the needs of parents experiencing separation and divorce? What policy and legislation, if any, needs to be addressed.
7. Many family justice programs are aimed at increasing parental understanding of their custody, access and support obligations. Can you describe specific ways in which there could be financial benefits to parents or to the courts that result from increased parental understanding of their family obligations?

SFI Evaluation: Judicial Interview Questions

I. Introduction

Thank you for agreeing to participate in an interview discussing the needs of parents who are experiencing separation and divorce and the effectiveness and impacts of the federal Justice *Supporting Families Experiencing Separation and Divorce Initiative* (SFI). The SFI assists parents by providing support and funding to the provinces and territories for services such as government supported mediation, parent education after separation, child support enforcement services, supervised access, PLEI, research and related initiatives. The SFI also provides support for the development of federal policy and legislation such as the *Divorce Act* and the *Federal Child Support Guidelines*.

II. Interview Questions

1. What are the most important needs of families experiencing separation and divorce?
2. How well are these being met by SFI supported family justice programs such as parent education, mediation, supervised access, child support enforcement and PLEI?
3. What gaps in services exist? Could you comment on whether access to family justice services and programs has improved since 2009 for families with specific needs such as those from cultural or linguistic minorities or in relation to high conflict parents?
4. Since 2009, do you feel current federal legislation such as that governing divorce, the Child Support Guidelines and other support mechanisms has kept pace with the needs of families experiencing separation and divorce? What issues, if any, related to legislation need to be addressed?
5. How effective are SFI-supported family justice services and programs at helping increase parental awareness of their custody, access and support responsibilities? Have you noticed a change in the level of parent awareness in this regard since 2009?
6. Since 2009, do parents who appear before you seem to be more informed about the family justice system and alternatives to the formal court process?
7. How effective are SFI-supported family justice services in helping parents comply with their custody, access and support responsibilities? Have you noticed changes in the extent to which parents are able to meet the terms of their custody, access and support agreements since 2009?
8. Since 2009, do you feel the availability of services such as parent education after separation and mediation have led to parents being able to deal with more of their custody, access and support issues outside of court and in a more timely way?

9. In what other ways do federal initiatives such as the SFI contribute to meeting the needs of parents experiencing separation and divorce or helping to increase the effectiveness of the family justice system?

Thank you for participating in this survey

SFI Evaluation Interview Guide: Provincial/Territorial Family Justice Respondents

I. Respondent Information

1. Name and role(s) of respondent(s) participating in the interview:

Name(s)	Position	Jurisdiction (Note once)

II. Respondent Perceptions on the Continuing Need for and Relevance of the SFI

2. What are the most significant needs of parents undergoing separation and divorce?
Please comment on the needs of specific groups such as high conflict parents or parents with cultural/linguistic needs.

3. To what extent is the SFI addressing these needs?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent

4. What custody, access or support needs is the SFI addressing most effectively?

5. Please identify up to three programs or types of programs that you think most clearly exemplify best practice in addressing custody, access or support needs.

- a) _____
- b) _____
- c) _____

6. What areas of need are not being sufficiently or effectively addressed by the SFI?

III. Respondent Perceptions on the Alignment of SFI with Government of Canada and Justice Canada / Mandate and Priorities

7. To what extent has the SFI furthered the Government of Canada's commitment which is articulated as (1) meeting the needs of families experiencing separation and divorce, (2) building a stronger society and (3) promoting respect for the law?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

8. To what extent has the SFI helped promote a fair, relevant and accessible justice system that reflects Canadian values?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

9. Please describe significant achievements in this area.

10. Please describe limitations or gaps in this area.

IV. SFI Role in Strengthening the Capacity of Jurisdictions to Address the Needs of Families

11. A. To what extent has the SFI strengthened the capacity of the P/Ts to respond to the needs of families experiencing separation and divorce?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. Please describe the most significant ways that the SFI has helped strengthen P/Ts capacity to address the needs of families.

C. Please describe the most significant limitations in terms of the SFI's role in strengthening the capacity of the P/Ts to address the needs of families.

12. A. How well is the SFI sustaining F/P/T partnerships and collaboration?

- Very well
- Quite well
- Somewhat well
- Not very well
- Not at all

B. What aspects of F/P/T partnerships and collaboration have been most effectively developed and/or sustained?

C. What aspects of F/P/T partnership and collaboration have been less well sustained?

V. Funding of Family Justice Programs and Services

13. A. How adequate has SFI funding been (since 2009) in terms of enhancing the ability of the P/Ts to deliver family justice services and programs?

- More than adequate
- Generally adequate
- Of marginal adequacy
- Inadequate
- Very inadequate

B. Please identify areas where funding for family justice services and programs has been most effective.

C. (If respondent answered c, d, e) Please identify one or two areas where the level of funding has not been sufficient to achieve SFI objectives.

14. Since 2009 how would you describe the status of family justice services in your jurisdiction?

- Expanded
- Maintained
- Reduced

VI. Impact of Federal Policies, Program Delivery and Legislation under the SFI

15. A. How helpful have federal contributions been for the P/Ts in relation to support enforcement (e.g. systems management; SMEP and MEP; policy development)?

- Very helpful
- Quite helpful
- Somewhat helpful
- Not very helpful
- Not helpful at all

B. What enforcement activities have been most helpful?

C. What areas, if any, of support enforcement have been less well addressed under the SFI?

16. Please comment on the impacts of legislation-related initiatives at the federal level (e.g. Divorce Act, Child Support Guidelines, and Recalculation Services) on the ability of the P/Ts to meet the needs of families experiencing separation and divorce. What activities have had the most significant impact on addressing the needs of families? Please address in relation to the SFI and within a historical context.

17. Are there regulatory decisions or legislation that are still outstanding that have constrained or limited the achievement of SFI objectives?

VII. Accessibility of Family Justice Services and Programs

18. A. To what extent has the SFI been successful in helping promote access to family justice services and programs by specific populations such as those that are geographically isolated or who comprise linguistic or cultural minorities?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What specific approaches and initiatives have been used to promote access?

C. What groups are being most effectively reached through SFI funded activities?

D. What groups continue to have access problems?

19. A. To what extent has the SFI helped to promote access to family justice services and programs for families with high levels of conflict?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What specific approaches and initiatives have been used to promote access for high conflict parents?

C. What areas of need in relation to this group are not being met?

VIII. Respondent Perceptions of the Awareness /Capacity of Parents and Family Law Professionals

20. A. In terms of your perceptions, to what extent have the activities, services and programs funded under the SFI enhanced parental awareness of the family justice system?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the primary gaps in understanding or awareness that remain?

21. A. To what extent have the activities of the SFI enhanced the awareness of family law professionals about services and programs available to separated/divorced parents?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the primary gaps in understanding or awareness that remain?

22. A. To what extent have the activities, services and programs funded by the SFI contributed to shifts in parenting attitudes?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What attitudinal shifts in understanding have taken place among parents, and what has the role of the SFI been in creating this shift, if any?

23. A. To what extent have the activities of the SFI enhanced the capacity of parents to reach appropriate custody, access and support agreements?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways the SFI has helped enhance parental capacity to reach appropriate custody, access and support agreements?

IX. Respondent Perceptions on the SFI's Impact on Parental Compliance with Custody/Access

24. A. To what extent has the SFI helped to build the capacity of parents to comply with their custody/access obligations?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways the SFI has contributed to parental compliance with custody/access obligations?

25. A. To what extent has the SFI contributed to parental compliance with their child support obligations?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways that the SFI has contributed to parental compliance with child support?

X. Respondent Perceptions about the Level of Parent Satisfaction with Family Justice Services

26. A. In general, to what degree do you feel parents are satisfied with the way family justice services and programs are provided?

- Very satisfied
- Somewhat satisfied
- Both satisfied and dissatisfied
- Somewhat dissatisfied
- Very dissatisfied
- Unable to comment

B. What services or aspects of services appear to result in the highest levels of satisfaction?

C. What services or aspects of services appear to result in less satisfaction?

SFI Evaluation: Interview Guide: FCY Respondents

I. Respondent Information

1. Name and role(s) of respondents participating in the interview:

Name(s)	Unit	Position

II. Respondent Perceptions on the Continuing Need for and Relevance of the SFI

2. What are the most significant needs of parents undergoing separation and divorce? Please comment on the needs of specific groups such as high conflict parents or parents with cultural/linguistic needs.

3. To what extent is the SFI addressing these needs?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent

4. What custody, access or support needs is the SFI addressing most effectively?

5. Please identify up to three programs or types of programs that you think most clearly exemplify best practice in addressing custody, access or support needs.

- a) _____
- b) _____
- c) _____

6. What areas of need are not being sufficiently or effectively addressed by the SFI?

III. Respondent Perceptions on the Alignment of SFI with Government of Canada and Justice Canada / Mandate and Priorities

7. To what extent has the SFI furthered the Government of Canada's commitment which is articulated as (1) meeting the needs of families experiencing separation and divorce, (2) building a stronger society and (3) promoting respect for the law?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

8. To what extent has the SFI helped promote a fair, relevant and accessible justice system that reflects Canadian values?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

9. Please describe significant achievements in this area.

10. Please describe limitations or gaps in this area.

IV. SFI Role in Strengthening Federal Capacity to Address Needs of Families Experiencing Separation and Divorce

11. A. To what extent has the SFI made progress towards strengthening the federal capacity to address the needs of families experiencing separation and divorce?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. Please describe significant examples of how the SFI has strengthened federal capacity to address the needs of families experiencing separation and divorce.

C. Please describe any significant limitations in terms of the federal capacity to respond to the needs of families experiencing separation and divorce.

V. SFI Role in Strengthening the Capacity of Jurisdictions to Address the Needs of Families

12. A. To what extent has the SFI strengthened the capacity of the P/Ts to respond to the needs of families experiencing separation and divorce?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. Please describe the most significant ways that the SFI has helped strengthen P/Ts capacity to address the needs of families.

C. Please describe the most significant limitations in terms of the SFI's role in strengthening the capacity of the P/Ts to address the needs of families.

13. A. How well is the SFI sustaining F/P/T partnerships and collaboration?

- Very well
- Quite well
- Somewhat well
- Not very well
- Not at all

B. What aspects of F/P/T partnerships and collaboration have been most effectively developed and/or sustained?

C. What aspects of F/P/T partnership and collaboration have been less well sustained?

VI. Funding of Family Justice Programs and Services

14. A. How adequate has SFI funding been (since 2009) in terms of enhancing the ability of the P/Ts to deliver family justice services and programs?

- More than adequate
- Generally adequate
- Of marginal adequacy
- Inadequate
- Very inadequate
- Unable to comment

B. Please identify areas where funding for family justice services and programs has been most effective.

C. (If respondent answered c, d, e) Please identify one or two areas where the level of funding has not been sufficient to achieve SFI objectives.

15. Please comment on the impacts of legislation-related initiatives at the federal level (e.g. Divorce Act, Child Support Guidelines, and Recalculation Services) on the ability of the P/Ts to meet the needs of families experiencing separation and divorce. What activities have had the most significant impact on addressing the needs of families? Please address in relation to the SFI and within a historical context.

16. Are there regulatory decisions or legislation that are still outstanding that have constrained or limited the achievement of SFI objectives?

VII. Accessibility of Family Justice Services and Programs

17. A. To what extent has the SFI been successful in helping promote access to family justice services and programs by specific populations such as those that are geographically isolated or who comprise linguistic or cultural minorities?
- To a very great extent
 - To a great extent
 - To a moderate extent
 - To some extent
 - To little or no extent
 - Unable to comment

B. What specific approaches and initiatives have been used to promote access?

C. What groups are being most effectively reached through SFI funded activities?

D. What groups continue to have access problems?

18. A. To what extent has the SFI helped to promote access to family justice services and programs for families with high levels of conflict?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What specific approaches and initiatives have been used to promote access for high conflict parents?

C. What areas of need in relation to this group are not being met?

VIII. Respondent Perceptions of the Awareness /Capacity of Parents and Family Law Professionals

19. A. In terms of your perceptions, to what extent have the activities, services and programs funded under the SFI enhanced parental awareness of the family justice system?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the primary gaps in understanding or awareness that remain?

20. A. To what extent have the activities of the SFI enhanced the awareness of family law professionals about services and programs available to separated/divorced parents?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the primary gaps in understanding or awareness that remain?

21. A. To what extent have the activities, services and programs funded by the SFI contributed to shifts in parenting attitudes?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What attitudinal shifts in understanding have taken place among parents, and what has the role of the SFI been in creating this shift, if any?

22. A. To what extent have the activities of the SFI enhanced the capacity of parents to reach appropriate custody, access and support agreements?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways the SFI has helped enhance parental capacity to reach appropriate custody, access and support agreements?

IX. Respondent Perceptions on the SFI's Impact on Parental Compliance with Custody/Access

23. A. To what extent has the SFI helped to build the capacity of parents to comply with their custody/access obligations?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways the SFI has contributed to parental compliance with custody/access obligations?

24. A. To what extent has the SFI contributed to parental compliance with their child support obligations?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. What are the most significant ways that the SFI has contributed to parental compliance with child support?

X. Respondent Perceptions about the Level of Parent Satisfaction with Family Justice Services

25. A. In general, to what degree do you feel parents are satisfied with the way family justice services and programs are provided?

- Very satisfied
- Somewhat satisfied
- Both satisfied and dissatisfied
- Somewhat dissatisfied
- Very dissatisfied
- Unable to comment

B. What services or aspects of services appear to result in the highest levels of satisfaction?

C. What services or aspects of services appear to result in less satisfaction?

XI. Related Issues

26. A. Overall, to what extent has your unit been able to achieve its objectives in relation to the SFI?

- To a very great extent
- To a great extent
- To a moderate extent
- To some extent
- To little or no extent
- Unable to comment

B. Please identify up to three accomplishments of your unit that have most significantly advanced the objectives of the SFI.

1. _____
2. _____
3. _____

C. What barriers or constraints, if any, have affected your unit’s contribution to the achievement of the SFI objectives (e.g. funding allocations, policy development, structural issues, relationship/communication with other divisions).

XII. Resource Utilization

27. “Efficiency” concerns how resources are used to achieve certain objectives and whether their use is reasonable in light of the outcomes achieved, the nature and context of your operations, and what alternative approaches might be (or have been) considered. Considering the objectives of your unit, during the lifetime of the SFI ...

A. What are the main methods by which you assess the efficiency of your unit’s allocation of resources?

B. What is/are the main issue(s) around which you have had to make significant decisions concerning the most efficient allocation of resources?

C. What internal or external factors have represented the greatest challenges to the efficient allocation of resources in the operations of your unit?

D. What internal or external factors have helped most in regard to the efficient allocation of resources in the operations of your unit?

E. Are there documents that refer specifically to any of these issues or factors that could assist our understanding?

F. What recommendations would you make that would help improve the efficiency either of your unit's operation or of the SFI overall?

28. Please estimate the percentage of overall time that your unit allocates to the following three SFI activities. (These are approximations only; it is not expected that they be derived from any formal record-keeping.)

Leadership: _____%

Investments: _____%

Assistance: _____%

Total: 100%

SFI Evaluation Interview Guide: Canadian Centre for Justice Statistics (CCJS) Respondents

I. Respondent Information

1. Name of the respondent: _____ / _____
first last
2. Position: _____

II. Respondent Perceptions on the Continuing Need for and Relevance of the SFI

3. What are the most significant needs of parents undergoing separation and divorce?
Please comment on the needs of specific groups such as high conflict parents or parents with cultural/linguistic needs.

4. Justice Canada provides funding to the CCJS to help the P/T's develop and maintain their data collection systems so that they can effectively participate in the Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs (SMEP) survey. How helpful has this funding been as a way of maintaining and supporting these activities?

- Very helpful
- Quite helpful
- Somewhat helpful
- Not very helpful
- Not helpful at all

5. Is additional funding or work needed to ensure that all jurisdictions are able to participate in the survey and if so, please describe.
