



**Management Response and Action Plan**

**Supporting Families Experiencing Separation and Divorce  
Initiative Evaluation**

**Department of Justice Canada**

## Management Response and Action Plan

**Project Title: Supporting Families Experiencing Separation and Divorce Initiative Evaluation**

**Responsibility Centre: Family, Children and Youth Section (FCY), Policy Sector**

Conclusions	Recommendations	Management Response	Action Plan	Responsible Manager (Title)	Planned Implementation Date
<p>The Supporting Families Experiencing Separation and Divorce Initiative (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 <i>Divorce Act</i>, the Family Orders and Agreements Enforcement Assistance Act (FOAEAA) and Garnishment, Attachment and Pension Diversion Act (GAPDA) was limited due to the inability to make federal legislative amendments during the SFI. In the absence of legislative amendments, the Family, Children and Youth Section (FCY) continues to address the needs of families through policy development activities.</p>	<p>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 (<i>Divorce Act</i>, FOAEAA and GAPDA) to promote effectiveness and efficiencies and to keep pace with the evolving needs of families experiencing separation and divorce.</p>	<p>Agreed. FCY continues to monitor the <i>Divorce Act</i>, 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.</p> <p>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 Public Legal Education and Information (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</p>	<p>If the Government chooses to move forward with legislative amendments, FCY is ready with options to improve and update federal legislation.</p> <p>FCY will also continue to scan the environment and work with provinces and territories (PT) through the Coordinating Committee of Senior Officials – Family Justice (CCSO-FJ) to develop appropriate and innovative policy instruments (legislative amendments, programs, PLEI) to address the needs of families.</p>	<p>Senior General Counsel (FCY)</p>	<p>2014 through 2016</p>

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		<p>successful family justice services which have become the cornerstone of the family justice system.</p> <p>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.</p>			
<p>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</p>	<p>2. That FCY renew efforts to address the need for national family justice data.</p>	<p>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</p>	<p>Negotiate Memorandum of Understanding with the Canadian Centre for Justice Statistics (CCJS)</p> <p>Through collaboration with Research and Evaluation officials, CCJS and CCSO PT partners, FCY will renew efforts</p>	<p>Senior General Counsel (FCY)</p> <p>Senior General Counsel (FCY)</p>	<p>2014-15</p> <p>2014 through 2016<sup>1</sup></p>

<sup>1</sup> It is expected that an MOU will be established with CCJS within the first year of the Initiative, however given the cyclical and ongoing nature of data collection at the national level, a finite planned implementation date cannot be provided. Efforts to collect national data will continue throughout the life of the Initiative.

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collection efforts, two of which are national justice surveys (Civil Court Survey and Survey of Maintenance Enforcement Programs ) supported by the SFI.		<p>build upon them.</p> <p>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.</p>	to address the need for national family justice data.		
<p>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.</p> <p>Access to timely, low cost and accurate legal information at certain points in the legal process is particularly important for self-represented litigants who are an increasing proportion of family</p>	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.	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 non-government organizations for maintenance and expansion of family justice program and services and development of information	Once the scope of the renewed SFI is approved, FCY will work with CCSO-FJ to advance the policy and program goals of the renewed SFI, in particular in relation to the needs of those who are facing barriers to access to justice, and continue implementing the federal, provincial and territorial (FPT) CCSO-FJ Strategic Framework approved by FPT Ministers of Justice.	Senior General Counsel (FCY)	2014-2016

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<p>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.</p>		<p>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.</p>			
<p>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.</p> <p>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)</p>	<p>4. That options for more stabilized funding to support the delivery of programs and services for families experiencing separation and divorce be examined.</p>	<p>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</p>	<p>The renewed SFI does not include stabilized funding. FCY will continue working with CCSO-FJ to propose options for more stabilized funding to support the delivery of programs and services for families experiencing separation and divorce.</p>	<p>Senior General Counsel (FCY)</p>	<p>2014-2016</p>

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<p>to allow for effective planning and resourcing for program delivery (i.e., staffing in Family Law Information Centers).</p> <p>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.</p>		<p>determined to be effective.</p> <p>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.</p>			
<p>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.</p>	<p>5. That FCY review their performance measurement strategy to determine what information can be collected to address resource utilization.</p>	<p>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</p>	<p>FCY, together with Research, Programs and Evaluation officials, will develop a performance measurement strategy that will guide the collection of data in support of the analysis of resource utilization.</p>	<p>Senior General Counsel (FCY)</p> <p>Director General, Programs Branch</p> <p>Director, Evaluation Division</p>	<p>2014-2016</p>

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		<p>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.</p>			