

***INVENTORY OF FAMILY JUSTICE SERVICES
IN BRITISH COLUMBIA***

December 21, 2003

**Prepared for:
Family Justice Reform Working Group**

Table of Contents

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:	
Family Justice Counsellor Dispute Resolution	1
Parenting After Separation	2
Family Justice Registries (Rule 5)	3
Supervised Access	4
Custody and Access Assessments	5
Comprehensive Child Support Service	6
Ministry of Attorney General, Justice Services Branch, Family Justice Programs Division:	
Family Maintenance Enforcement Program	7
FMEP Outreach	8
Family Search	9
Reciprocals Program	10
Ministry of Attorney General, Justice Services Branch, Dispute Resolution Office	
Child Protection Mediation	11
Family Mediation Practicum Project	12
BC Mediator Roster Society	13
Ministry of Attorney General Office for Children and Youth	14
Supreme Court of British Columbia	
Litigant’s Guide and Case Management Plan Worksheet	15
PAS Videos	16
Family Law Resource Lists	17
Judicial Case Conferences (to come)	18
Provincial (Family) Court	
FRA Family Case Conferences	19
FRA Trial Preparation Conference	21
CFCSA Case Conferences	23
Legal Service Society	
Extending Coverage to Qualified Families	25
Emergency Referrals for financially eligible clients with legal family problems that meet coverage criteria	26
CFCSA Referrals	28
Family Duty Counsel Projects	29
Family Advice Lawyer Project	32
Supreme Court Advice Lawyer Project	34
Family Mediation Project	36

Public Legal Education and Information	
Major Service Providers	38
Ministry of Attorney General Family Justice Enquiry Line and Web Site	39
Legal Services Society Law Line	40
Legal Services Society Public Legal Information Materials	41
Legal Services Society Website	42
Legal Services Society LINK project	43
Non-Government Organizations and Agencies	
Non-governmental organizations and agencies	44
Pro bono clinics	45
Private Sector	
Mediation Services	46
Legal Representation	47
Collaborative Law Services	48
Ministry of Human Resources	
Family Maintenance Program	49

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Family Justice Counsellor Dispute Resolution
Description of services provided	Mediation and conciliation services are provided to appropriate families with respect to child custody, access, guardianship and family maintenance. Clients are provided with information and options regarding the rights and responsibilities of parents in these matters. Services are delivered by specially trained and highly qualified family justice counsellors.
Clients served (provincial/supreme; limited income; etc.)	Services are provided primarily to persons of modest means. Requests for service are prioritized based on income and individual circumstance/presenting issue. Services are available to clients with provincial or supreme court matters as well as those who have had no previous contact with either level of court.
Locations	Services are provided through 28 Family Justice Centres located throughout the province: Victoria, Duncan, Nanaimo, Courtenay, Campbell River, Powell River, Sechelt, North Vancouver, Vancouver (Robson Square), Vancouver (Commercial Drive), Richmond, New Westminster, Port Coquitlam, Maple Ridge, Surrey, Langley, Abbotsford, Chilliwack, Kamloops, Williams Lake, Kelowna, Vernon, Penticton, Nelson, Cranbrook, Prince George, Terrace, Fort St. John. Fifteen other locations are served on an itinerant basis.
Number of clients served	In 2002/03, Family Justice Counsellors opened 5200 new dispute resolution cases. As well, Family Justice Counsellors provided 22,000 brief services ¹ , and provided 9700 brief counsellings ² .
Indicators of unmet demand, if available	Due to an inability to meet the full demand for service, the Family Justice Services Division has implemented a policy to ensure that persons of modest means are given priority.
Comments (future plans, evaluation results, federally funded etc.)	The Division is currently conducting research on its client demographics, services requested and provided, and dispute resolution outcomes. As well, a research project to measure the medium term (2-4 years) impact of the service is planned. Services are funded provincially.

¹ Brief services are defined as an intervention with a person, typically by phone, to provide information, or referral to other agencies related to a potential client but where no file is opened. This activity is limited to one or two contacts that on average amount to 15 minutes of service.

² Brief Counselling is defined as an intervention with a person to provide information or brief counselling to assist the person to deal more effectively with their family issues. This activity does not result in an intake/dispute resolution during that month. The family justice counsellor may meet with the party on one or two occasions that on average amount to 1 hour of service.

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Parenting After Separation
Description of services provided	This free, three-hour information seminar informs parents about the impact of separation and divorce on children, how parents can best help their children and conflict resolution alternatives for parents. In 10 communities, attendance is mandatory for provincial applicants / respondents and voluntary for other interested parents. Hindi, Punjabi, Cantonese and Mandarin PAS programs are also offered in selected lower mainland locations.
Clients served (provincial/supreme; limited income; etc.)	There is no financial screening of PAS clients. In 10 communities, attendance is mandatory for provincial applicants/ respondents. In 8 additional communities, attendance is completely voluntary. In Supreme Court, judges have the ability to mandate attendance at PAS as part of a judicial case conference.
Locations	<p><u>Mandatory & voluntary:</u> Victoria, Nanaimo, Vancouver, New Westminister, Port Coquitlam, Surrey, Abbotsford, Kamloops, Kelowna and Prince George</p> <p><u>Voluntary only:</u> Courtenay, Campbell River, Powell River, Sechelt, Nelson, Penticton, Terrace and Vernon.</p> <p><u>Rural locations:</u> In some rural locations, PAS information is available as part of a Rural Package at local libraries</p>
Number of clients served	In 2002/03, 4,630 people participated in 388 PAS sessions
Indicators of unmet demand, if available	The current availability of PAS appears to be meeting the demand in the locations where it is provided. The majority of sessions are run with additional spaces available. Voluntary PAS sessions were previously available in additional locations but were discontinued due to low demand.
Comments (future plans, evaluation results, federally funded etc.)	<p>The October 2000 evaluation of Mandatory PAS indicated that attendance at the MPAS may have resulted in a reduction in the number of cases going to trial in the pilot jurisdictions. It appears that when cases did go to court, they were less likely to go to second, third or subsequent appearances in an MPAS location than cases tracked at a comparison site.</p> <p>This program receives limited funding from the Department of Justice Canada.</p>

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Family Justice Registry (Rule 5)
Description of services provided	Parties to a provincial court application must attend a session with a Family Justice Counsellor prior to a first appearance before a Provincial Court judge. At the sessions, the Family Justice Counsellors (who are certified family mediators) provide assessment, information, issue clarification, dispute resolution, referral and case management support to applicants and respondents. This program operates in coordination with the Robson Square, Surrey and Kelowna Provincial Court family justice registries.
Clients served (provincial/supreme ; limited income; etc.)	This program is directed solely to applicants and respondents who have filed an application in designated family justice registries. Attendance is mandatory prior to a first appearance.
Locations	Vancouver, Surrey, and Kelowna
Number of clients served	In 2002/03, there were 1331 cases where at least one party was triaged through the Family Justice Registry program ³
Indicators of unmet demand, if available	This program is only available in 3 Provincial Court registries.
Comments (future plans, evaluation results, federally funded etc.)	<p>This program is funded by the Department of Justice Canada.</p> <p>Rule 5 came into effect at selected locations at the same time that new provincial court (family) rules were introduced province wide (December 1998). The recent evaluation⁴ of the program found that 29% of cases did not proceed to first appearance in Rule 5 sites compared to 17% in comparison sites. As well, for cases that continue to court after triage, there were significantly fewer appearances per case (41% decrease in appearances per case in Rule 5 sites – about half due to outright diversion and half due to “narrowing and clarification of issues”).</p> <p>Work is underway to more fully integrate this program with the Comprehensive Child Support Services.</p>

³ Triage refers to the 45 minute interview with the applicant/respondent as a required first step in *FRA* cases at designated family justice registries. It is a requirement to meet with a Family Justice Counsellor prior to a first appearance before a judge to help parties to clarify their issues and understand options available for resolving their disputes.

⁴ The full evaluation and evaluation summary can be found at: www.ag.gov.bc.ca/justice-services/publications/index.htm

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Supervised Access
Description of services provided	Supervised Access services are designed to facilitate safe contact between children and their parents when there has been a lengthy absence of contact or when there has been one or more of the following concerns about a parent: violence, alcohol abuse, drug abuse, lack of mental well being or a lack of knowledge of parenting skills. Services include access supervision and access exchange.
Clients served (provincial/supreme; limited income; etc.)	Service is provided to families free of charge. Families are referred through Family Justice Counsellors. Families may be referred to Family Justice Counsellors from Supreme or Provincial Court, or may be self-referred.
Locations	The service is in the process of being tendered and will be available this fall in Victoria, Nanaimo, Vancouver, New Westminster, Port Coquitlam, Surrey, Richmond, Abbotsford, Kamloops. Supervised access will begin in Kelowna in 2004/05.
Number of clients served	In 2002/03 the service was available in Victoria, Kamloops and the lower Mainland. The program provided service to approximately 160 families.
Indicators of unmet demand, if available	Anecdotal reports indicate that the need for supervised access services exceeds the current capacity. As well, the service is available only in a limited number of communities.
Comments (future plans, evaluation results, federally funded etc.)	The Ministry is in process of standardizing the service and implementing it in additional communities. The Ministry will be implementing performance measurement activities to evaluate the program.

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Custody and Access Assessments
Description of services provided	A limited number of child custody and access assessments are prepared upon order of the court. Specially trained Family Justice Counsellors conduct investigations and provide reports to assist the court in determining the best interests of the children.
Clients served (provincial/supreme; limited income; etc.)	Reports are prepared upon order of a Provincial or Supreme Court judge. Priority is given to intractable disputes where safety of the children is in question, violence is or has been a factor in the relationship, repeated or extended denial of access is alleged, or one of the parties resides in another jurisdiction. Priority is given to assessments ordered where one or both parties are not represented by legal counsel or where legal counsel is appointed by the Legal Services Society.
Locations	All BC locations.
Number of clients served	For the period of July 1 2002 to June 30, 2003, 153 Custody and Access Assessments were ordered and 211 cases were administered ⁵ by the Family Justice Services Division.
Indicators of unmet demand, if available	The judiciary report that the need for additional reports exceeds the current capacity within the Ministry. The Ministry has implemented a prioritization policy to assist in dealing with the current capacity issues.
Comments (future plans, evaluation results, federally funded etc.)	In 1997 the Ministry decided, based on its ADR strategic initiatives, to allocate 90% of family justice services resources to early opportunity/community-based family dispute resolution and 10% to reports for the court. A new C&A reports management structure was implemented and FJC report writer specialist positions were established. Report quality complaints from parties has significantly declined since that time.

⁵ More cases were administered than ordered for that period as the Division was undertaking to address the backlog of ordered reports. “Administered” refers to cases that had reports completed, cases that were resolved prior to being assigned to a report writer, and cases that were resolved through the dispute resolution services of Family Justice Counsellors and did not require a full report to court.

Ministry of Attorney General, Justice Services Branch, Family Justice Services Division:

Name of Service	Comprehensive Child Support Service (CCSS)
Description of services provided	These services provide parents with assistance to resolve disputes and speed up changes to child support orders and written agreements consistent with the Child Support Guidelines. The CCSS provides an array of services to people dealing with child support issues: child support calculations, facilitated negotiations, information on enforcement matters, and legal information and summary advice, and referrals to mediation.
Clients served (provincial/supreme; limited income; etc.)	Services are provided to clients who are involved in provincial or supreme court matters as well as those who have had no previous contact with either level of court.
Locations	To date the service is only available in Kelowna. As of October 15, the program will be expanded to two additional locations: Vancouver and Surrey.
Number of clients served	In 2002-03, 201 files were opened and 448 brief services ⁶ were provided.
Indicators of unmet demand, if available	The service will be available in only 3 locations within BC.
Comments (future plans, evaluation results, federally funded etc.)	<p>This program is funded by the Department of Justice Canada.</p> <p>The recent evaluation⁷ of the program found that close to 60% of clients resolved their child support related issues through the CCSS without a court hearing. Overall, clients were satisfied with the information and assigned a high level of importance to the assessment of financial issues and recalculation of child support amounts. 76% of clients believed the services provide by the Child Support Officer (CSO) helped to speed up making changes to child support amounts.</p> <p>This program is in the process of being functionally integrated into the Family Justice Registry Program.</p>

⁶ Brief services are defined as an intervention with a person, typically by phone, to provide information, or referral to other agencies related to a potential client but where no file is opened. This activity is limited to one or two contacts that on average amount to 15 minutes of service.

⁷ The Full evaluation and evaluation summary can be found at www.ag.gov.bc.ca/justice-services/publications/index.htm

**Ministry of Attorney General, Justice Services Branch, Family Justice Programs
Division:**

Name of Service	Family Maintenance Enforcement Program (FMEP)
Description of services provided	FMEP monitors and enforces maintenance payments for clients with enrolled orders and agreements.
Clients served (provincial/supreme; limited income; etc.)	Anyone with a maintenance order or written agreement enforceable in B.C. is eligible to enroll in FMEP. FMEP is an opt-in program (recipients and payors choose to enroll) with the exception of orders enrolled by the Ministry of Human Resources (MHR). MHR is authorized by law to require maintenance recipients to "assign" their maintenance rights to the government as a condition for receiving BC Employment and Assistance. Assignment generally includes automatic enrollment in the FMEP.
Locations	There are three client offices accessible by telephone and website: Lower Mainland, Northern and Interior and Victoria
Number of clients served	51,394 cases enrolled as of August, 2003
Indicators of unmet demand, if available	N/A.
Comments (future plans, evaluation results, federally funded etc.)	Plans for the next three years include: <ul style="list-style-type: none"> - payor and recipient surveys - expansion of methods of payment available to payors - website enhancements <p>FMEP receives limited funding assistance from the Department of Justice Canada.</p>

**Ministry of Attorney General, Justice Services Branch, Family Justice Programs
Division:**

Name of Service	FMEP Outreach
Description of services provided	FMEP provides an on-site resource to clients of some Family Justice Centres. The Outreach Officer is available to meet with clients to explain FMEP enrollment, policy and procedures and to work with payors to arrive at voluntary payment arrangements.
Clients served (provincial/supreme; limited income; etc.)	Family Justice Centre clients with issues relating to the enforcement of maintenance.
Locations	Kelowna, Lower Mainland
Number of clients served	Approx. 35/month in Kelowna and 40/ month in the Lower Mainland
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	A federally funded project, in Kelowna an FMEP Outreach Officer is part of the Comprehensive Child Support Service (CCSS). The success of the CCSS in Kelowna has led to the introduction of a CCSS project in Vancouver and Surrey, and the Lower Mainland Outreach project will be incorporated into the Vancouver and Surrey CCSS project.

**Ministry of Attorney General, Justice Services Branch, Family Justice Programs
Division:**

Name of Service	Family Search
Description of services provided	Family Search assists clients to locate address, employment, source of income, and asset information on individuals sought for the purposes of obtaining, changing and enforcing maintenance, custody, access and guardianship orders.
Clients served (provincial/supreme; limited income; etc.)	Services are accessed through the FMEP, Ministry of Human Resources' Family Maintenance Program, Courts, and similar programs in other jurisdictions.
Locations	The program operates from an office in Vancouver but can be accessed through any of the above services throughout in BC.
Number of clients served	27,000 searches/year
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	This program receives limited funding assistance from the Department of Justice Canada.

**Ministry of Attorney General, Justice Services Branch, Family Justice Programs
Division:**

Name of Service	Reciprocals Program
Description of services provided	The Reciprocals Program transmits documents for B.C. clients wishing to obtain, change or enforce maintenance orders in reciprocating jurisdictions. The Program also transmits documents from reciprocating jurisdictions to the BC courts and the FMEP for action.
Clients served (provincial/supreme; limited income; etc.)	Anyone wishing to obtain, change or enforce a maintenance order, where the other party lives in a reciprocating jurisdiction. (The ability to change <i>Divorce Act</i> orders using the reciprocal process is limited to Canada.)
Locations	The program operates from an office in Vancouver but can be accessed through any court in BC.
Number of clients served	1800/year
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	This program receives limited funding assistance from the Department of Justice Canada.

**Ministry of Attorney General, Justice Services Branch Dispute Resolution Branch,
in conjunction with Ministry for Children and Families:**

Name of Service	Child Protection Mediation Program
Description of services provided	Section 22 of the <i>Child, Family and Community Service Act</i> (CFCSA) allows parents and the Director to settle disputes about a plan of care or other issue by mediation or another dispute resolution process. Participation in mediation is voluntary and parties must choose a mediator from the roster of mediators established by CFCSA Regulation
Clients served (provincial/supreme; limited income; etc.)	Provincial Court. Income is not a factor in terms of being eligible for this service. The cost of mediation is borne by the Province of BC.
Locations	Province wide.
Number of clients served	200 cases in 2002/03 including facilitated planning meetings.
Indicators of unmet demand, if available	While the program is being utilized in some areas of the lower mainland, uptake is low in other parts of the province.
Comments (future plans, evaluation results, federally funded etc.)	In 2001, a mediation model known as the Facilitated Planning Meeting (FPM) was piloted in the Surrey Region. Four Ministry of Children and Family Development offices referred cases to a FPM. An interim evaluation of the project found high satisfaction with the mediation model and high settlement rates. The report also describes the FMP process and can be found at www.ag.gov.bc.ca/dro/publications/reports/surrey-court.pdf Two areas of the Fraser Region: Surrey and Simon Fraser offer FPM services.

Ministry of Attorney General, Justice Services Branch, Dispute Resolution Office

Name of Service	Family Mediation Practicum Project
Description of services provided	The BC Dispute Resolution Practicum Society, with assistance from the Ministry of Attorney General and law related groups such as the Justice Institute of BC, is planning a family mediation practicum project. The project will allow trained, but inexperienced mediators to practice mediation skills under the supervision of highly qualified and experienced family mediation mentors. Clients will receive mediation services at no cost.
Clients served (provincial/supreme; limited income; etc.)	Cases appropriate for the practicum are those with custody, access, guardianship and child support issues. Cases could be referred from a variety of sources.
Locations	Burnaby/New Westminster
Number of clients served	12 – 15 mediators will attend the project in three classes, and up to 75 families will receive free mediation services.
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	This project is the final planning stages. A number of key issues are being addressed to ensure a high quality training program is offered in a safe environment for the mediation of family disputes. A first class of mediators is planned for January 2004. Funding for planning the project is provided by the Ministry of Attorney; funding to implement the project is provided by the Law Foundation.

Ministry of Attorney General, Justice Services Branch, Dispute Resolution Office

Name of Service	BC Mediator Roster Society
Description of services provided	The society maintains a roster of qualified family mediators, who meet training and experience standards and subscribe to a code of conduct. The society is also a resource for information about mediation in BC and other jurisdictions, and it works to promote the use of mediation generally.
Clients served (provincial/supreme; limited income; etc.)	Anyone can access the roster via the society's web. The directory of mediators provides professional and contact information for each mediator.
Locations	Roster member provide services province wide.
Number of clients served	The number of information requests handled by the society's roster administrator, the number of visits to the website, applications for admission, and the number of members has increased in each of the four years 1999 – 2003. Website visits, in particular, have increased significantly from 3,226 in 1999 to 17,833 to date in 2003. Currently there are 21 members on the Family Roster (established June 2002).
Indicators of unmet demand, if available	There are no indicators of unmet demand; however, the roster is best represented in these parts of the province: the Lower Mainland, parts of Vancouver Island, and the Okanagan.
Comments (future plans, evaluation results, federally funded etc.)	The BC Mediator Roster Society is a non-profit society whose board of directors represents government, the judiciary, the bar, the academic community, mediation practitioners and others. Its Roster Committee oversees the admission process; by establishing and adhering to standards for training and experience, the society ensures that the public and the justice system has easy access to qualified to mediators. The society also maintains a Civil Roster (current membership: 172).

Ministry of Attorney General:

Name of Service	Office for Children and Youth
Description of services provided	Monitors services provided under CFCSA and Adoption Act; conducts investigations at the request of the Attorney General; provides information on services for children and families, provides government with advice on policy and practice; in extraordinary circumstances will advocate on behalf of children and youth to ensure that their views are heard and considered.
Clients served	Children, youth, families, government.
Locations	Public can contact the office by telephone or correspondence.
Number of clients served	N/A
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	Established on September 30, 2002.

Supreme Court of British Columbia

Name of Service	Litigants' Guide and Case Management Plan Worksheet
Description of services provided	The Guide and Worksheet help lawyers and clients prepare for a Judicial Case Conference. In particular, the worksheet alerts clients to the topics that may be discussed with the Judge or Master and the information that may be requested.
Clients served	Supreme Court litigants: separating and divorcing couples
Locations	Available on the internet and through Supreme Court registries.
Number of clients served	N/A
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	N/A

Supreme Court of British Columbia

Name of Service	Parenting After Separation Videos
Description of services provided	A selection of Parenting after Separation videos are shown Wednesday and Friday mornings at the New Westminster Courthouse. A Law Courts Education Society representative serves as facilitator. Litigants are invited to view the videos on the morning of the court appearance.
Clients served	Supreme Court litigants with custody or access disputes
Locations	New Westminster
Number of clients served	N/A
Indicators of unmet demand, if available	Available only in one courthouse.
Comments (future plans, evaluation results, federally funded etc.)	N/A

Supreme Court of British Columbia

Name of Service	Family Law Resource Lists
Description of services provided	<p>Each Supreme Court Registry keeps a Family Law Resource List identifying Family Justice Services available for separating and divorcing people in that particular community. The list is prepared and updated by the Justice Services Branch (MAG) and covers:</p> <ul style="list-style-type: none"> Family Justice Counsellor, dispute resolution services Family Justice Counsellor Custody and Access Reports Parenting after Separation Programs Family Justice Services Web site & toll free line BC Mediator Roster Society Web site (Family Chapter) Family Maintenance Enforcement Program Legal Services Society
Clients served	Supreme Court litigants: separating and divorcing couples
Locations	Every Supreme Court registry in BC
Number of clients served	N/A
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	N/A

Supreme Court of British Columbia

Name of Service	Judicial Case Conferences (to come)
Description of services provided	
Clients served	
Locations	
Number of clients served	
Indicators of unmet demand, if available	
Comments (future plans, evaluation results, federally funded etc.)	

Provincial (Family) Court

Name of Service	Family Relations Act Case Conference
<p>Description of services provided</p>	<p>The Family Relations Act Case Conference is held, where resources permit, in a conference room. The parties and their lawyers must attend. Usually, each conference is scheduled for at least 1 hour.</p> <p>Rule 7(4) of the Provincial Court (Family) Rules details what happens at a family case conference:</p> <p>The judge at the family case conference may do one or more of the following:</p> <ul style="list-style-type: none"> (a) mediate any of the issues in dispute; (b) decide any issues that do not require evidence; (c) with consent of the parties, refer any issues to mediation with a private mediator; (d) if the regional manager has advised the court in writing that the person or program is readily available to the parties, refer the parties to a family justice counsellor or to a person designated by the Attorney General to provide specialized maintenance assistance; (e) adjourn the case for purposes of mediation under paragraph (c) or a referral under paragraph (d); (f) make an order to which all of the parties consent; (g) direct that any or all applications must be made within a set time; (h) direct the parties to attend a further family case conference, setting a date for that conference; (i) set a date for a trial preparation conference under Rule 8; (j) make any order that may be made at a trial preparation conference under rule 8(4); (k) if the judge does not set a date for a further family case conference or for a trial preparation conference, set a trial date for the matter or set a date for a trial that is restricted to issues defined by the parties; (l) make an interim or final order requested in an application, reply or notice of motion; (m) without hearing witnesses, give a non-binding opinion on the probable outcome of a hearing or trial; (n) make any other order or give any direction that the judge considers appropriate. <p>Some judges combine the functions of a family case conference and trial preparation conference, rather than holding two separate conferences.</p>

Clients served (provincial/supreme; limited income; etc.)	Provincial Court litigants where child custody, access, or guardianship issues are contested. (Rule 7(1) Provincial Court (Family) Rules)
Locations	All locations that are served by the Provincial Court
Number of clients served	This information is not available. Generally speaking, a family case conference is scheduled, by order of a judge, for all contested issues of custody, access and guardianship that are not quickly resolved.
Indicators of unmet demand, if available	This information has not been compiled. The measurement of this indicator would likely be the length of time between the date of the Judge's order to hold a case conference, and the date of the case conference.
Comments (future plans, evaluation results, federally funded etc.)	There is currently no central data bank which records the number of case conferences and the rate of settlement of issues from case conferences. However, this data is now starting to be collected, presently on Vancouver Island and in future from the entire province. Currently, the available statistics provide us with the number of new cases filed, and the number of court hours devoted to the family division of provincial court.

Provincial (Family) Court

Name of Service	Trial Preparation Conference
<p>Description of services provided</p>	<p>The trial preparation conference is held, where resources permit, in a conference room. The parties' lawyers must attend. The litigants aren't required to attend, so long as they have counsel and are readily available and immediately accessible for consultation during the conference. Usually, each conference is scheduled for at least 1 hour.</p> <p>Rule 8(4) of the Provincial Court (Family) Rules details what happens at a trial preparation conference:</p> <p>The judge at the trial preparation conference may do one or more of the following:</p> <ul style="list-style-type: none"> (o) order a party to allow inspection and copying of records, specified in the order, that are or have been in the party's possession or control or, if not in that party's possession or control, are within that party's power, (p) order a party to deliver to the other parties a written summary of the proposed evidence of a witness within a set time; (q) if the judge determines that there are any pending applications relating to the case that have not yet been heard, order that those applications be heard at the trial preparation conference or be brought and heard within a set time; (r) order the parties to file with the registry a statement of agreed facts, within a set time; (s) discuss evidence that will be required and the procedure that will be followed at that trial; (t) order a party to bring to trial a record, specified in the order, that is or has been in the party's possession or control or, if not in the party's possession or control, is within that party's power; (u) grant permission to a party to submit evidence by affidavit at the trial, in accordance with rule 13 (concerning affidavits) and with any directions given by the judge presiding at the trial preparation conference; (v) estimate the time required for a trial' (w) set a trial date for the matter or set a date for a trial that is restricted to issues defined by the parties; (x) make any order or give any direction that the judge considers appropriate. <p>Some judges combine the functions of a family case conference and trial preparation conference, rather than holding two separate conferences.</p>

Clients served (provincial/supreme; limited income; etc.)	Provincial Court litigants where a judge has determined that a trial is necessary. (Rule 8(1) Provincial Court (Family) Rules)
Locations	All locations that are served by the Provincial Court
Number of clients served	This information is not available.
Indicators of unmet demand, if available	This information has not been compiled. The measurement of this indicator would likely be the length of time between the date of the Judge's order to hold a trial preparation conference, and the date of the conference.
Comments (future plans, evaluation results, federally funded etc.)	There is currently no central data bank which records the number of trial preparation conferences. Many judges combine the functions of case conferences and trial preparation conferences. However, data concerning case conferences is now starting to be collected, presently on Vancouver Island and in future from the entire province. Currently, the available statistics provide us with the number of new cases filed, and the number of court hours devoted to the family division of provincial court.

Provincial (Family) Court

Name of Service	Mandatory Case Conferences under the <i>Child, Family and Community Service Act (CFCSA)</i>
Description of services provided	<p>The case conference provides a settlement opportunity for disputed child protection matters. The <i>Provincial Court (CFCSA) Rules</i> at Rule 2 directs that:</p> <p>(1) If at the commencement of a protection hearing under section 40 of the Act:</p> <ul style="list-style-type: none"> (a) a consent order is not made, and (b) the judge determines the cases cannot be heard that day <p>the judge must direct the parties and their lawyers to attend a case conference.</p> <p>(2) A judge may at any time direct the parties and their lawyers to attend a case conference:</p> <ul style="list-style-type: none"> (a) if the party requests it, or (b) if the judge considers that it may promote a fair and efficient resolution of the issues. <p>At the case conference the judge may do a number of things, including mediating issues in dispute (other than the issue of whether the child needs protection), make orders and decisions in some circumstances, and carry out case management activities.</p>
Clients served (provincial/supreme; limited income; etc.)	Provincial Court.
Locations	Province-wide
Number of clients served	As required.

Name of Service	Mandatory Case Conferences under the <i>Child, Family and Community Service Act (CFCSA) (continued)</i>
Indicators of unmet demand, if available	Consideration should be given to the fact that scheduling and conducting case conferences has an impact on judicial resources and court time.
Comments (future plans, evaluation results, federally funded etc.)	<p>In 1997 Provincial Court Chief Judge Robert W. Metzger, as he then, was offered these comments about the mandatory case conference⁸:</p> <ul style="list-style-type: none"> • while attendance is mandatory, not all cases are appropriate for a case conference; • counsel and social workers are requesting case conference mediation in most cases, i.e., even when attendance is not mandatory; • in the year between June 1996 and October 1997, judges mediated more than 1,000 cases at a case conference event; about two thirds of the cases were resolved; and • the alternative to settling cases is an adversarial style hearing of several days duration.

⁸ Family and Conciliation Courts Review, Vol. 35 No.4, October 1997 418 – 4234. 1977 Sage Publications, Inc.

Legal Services Society:

Name of Service	Extending Coverage to Qualified Family Cases
<p>Description of services provided</p>	<p>This limited initiative will provide up to 50 additional hours of legal time to about 200 clients. (Clients with approved services referrals. i.e., where coverage is granted for services beyond those permitted by emergency referrals. are not eligible for an extended services referral.)</p> <p>LSS has asked lawyers to submit opinions letter by July 25 on behalf of any client they believe meets the projects criteria.</p> <p>Criteria for extended services are:</p> <p>The client has a current emergency services referral issued on or after May 1, 2002, and</p> <ul style="list-style-type: none"> a) is involved in a high conflict case involving sexual, mental, or physical abuse of themselves or their children; or b) has significant involvement with the Ministry of Children and Family Development; or c) is involved in a case where the opposing party is privately represented, has been unreasonably litigious, and is using the justice system to continue a pattern of abuse; or d) the case involves a significant risk of alienation of the client's children and permanent destruction of the established relationship between the client and the children (e.g., ongoing denial of access or mobility cases, to prevent the other party from moving with the children); and
<p>Clients served (provincial/supreme; limited income; etc.)</p>	<p>Clients must continue to meet LSS eligibility guidelines</p>
<p>Number of clients served</p>	<p>Approximately 200 clients</p>
<p>Indicators of unmet demand, if available</p>	<p>Under the previous coverage guidelines and the Family Tariff, counsel could seek approval through the Society's Family Case Management Program (FCMP) for additional hours and services. FCMP allowed the society to assess cases at regular intervals to ensure that cases continued to meet eligibility and coverage guidelines and that the additional hours and services sought were one that a reasonable person would pay a lawyer to provide. One third of all Family Referral met the criteria for additional services and funding.</p>
<p>Comments (future plans, evaluation results, federally funded etc.)</p>	<p>Due to limited funding, this project is set to conclude on March 31/04</p>

Legal Services Society:

<p>Name of Service</p>	<p>Emergency Referrals for financially eligible clients with legal family problems that meet the coverage criteria</p>
<p>Description of services provided</p>	<p>Family Coverage Criteria: Effective May 22, 2002, LSS restricted legal representation in family law to financially eligible people who:</p> <ul style="list-style-type: none"> • are victims of domestic violence and likely need a physical restraining order, • have a child or children who are at risk and a supervised access order or a restraining order is needed to protect them, • need a change to a current custody or access order to ensure their and/or their child(ren).s safety, or • need a non-removal order to prevent the other parent from permanently moving their child(ren) out of the province (the threat must be real and immanent and involve a permanent change of residence). <p>Coverage is limited to one emergency referral. This includes all the additional relief available under the Family Relations Act or the Divorce Act, such as custody, access, and maintenance orders, and orders restraining the disposition of property, within the limits of the family tariff.</p> <p>Exceptions: Coverage may be approved in extenuating circumstances. These include situations where:</p> <ul style="list-style-type: none"> • court documents refer to sexual, physical, or emotional abuse and the offending parent or partner is back in the community, • a serious condition or disability makes the applicant unable to represent him or herself and the family matter must be resolved to avoid further harm, • a child is kidnapped by the access parent and there is an existing custody order or separation agreement, • the applicant is the respondent in a maintenance enforcement committal proceeding and will be sent to jail as a result of the failure to pay maintenance, • there has been complete denial of access for three months or more, in breach of a court order or separation agreement, and • instances where the applicant is a victim of litigation harassment.

Name of Service	Emergency Referrals for financially eligible clients with legal family problems that meet the coverage criteria (continued)																																		
Description of services provided (continued)	Emergency referrals are limited to the hours billable under the Family Emergency Tariff. The referral provides only enough hours to allow counsel to draft court documents, negotiate a settlement if possible, and conduct interim applications. The hours are generally insufficient for counsel to prepare for and conduct a Supreme Court trial.																																		
Clients served (provincial/supreme; limited income; etc.)	<p>Income / asset guidelines (Effective April 1, 2000)</p> <table border="1"> <thead> <tr> <th rowspan="2"><u>Household Size</u></th> <th colspan="2"><u>Net Household Monthly Income</u></th> <th rowspan="2"><u>Assets Personal Property</u></th> </tr> <tr> <th><u>Criminal cases Includes appeals</u></th> <th><u>All other cases Includes Appeals</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$925</td> <td>\$1,002</td> <td>\$2,000</td> </tr> <tr> <td>2</td> <td>1,388</td> <td>1,504</td> <td>4,000</td> </tr> <tr> <td>3</td> <td>1,620</td> <td>1,755</td> <td>4,500</td> </tr> <tr> <td>4</td> <td>1,792</td> <td>1,941</td> <td>5,000</td> </tr> <tr> <td>5</td> <td>1,975</td> <td>2,140</td> <td>5,500</td> </tr> <tr> <td>6</td> <td>2,147</td> <td>2,326</td> <td>6,000</td> </tr> <tr> <td>7 or more</td> <td>2,294</td> <td>2,486</td> <td>6,000</td> </tr> </tbody> </table>	<u>Household Size</u>	<u>Net Household Monthly Income</u>		<u>Assets Personal Property</u>	<u>Criminal cases Includes appeals</u>	<u>All other cases Includes Appeals</u>	1	\$925	\$1,002	\$2,000	2	1,388	1,504	4,000	3	1,620	1,755	4,500	4	1,792	1,941	5,000	5	1,975	2,140	5,500	6	2,147	2,326	6,000	7 or more	2,294	2,486	6,000
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Locations	Intake for the issuance of Family Emergency Services is conducted in the 7 Regional Centres, in 20 communities with LSS Local Agents, and through a 1-800 phone line																																		
Number of clients served	Approximately 4000 financially qualified clients will receive these limited referrals																																		
Indicators of unmet demand, if available	Prior to the budget cuts (and the subsequent changes to the Family coverage policy and Family Tariff), LSS received an average of 25,000 applications and issued 15,526 referrals (2000/01). Two reports released in 2001 indicated that the LSS family coverage policy and financial criteria were too restrictive and not meeting real demand.																																		
Comments (future plans, evaluation results, federally funded etc.)	N/A																																		

Legal Services Society:

Name of Service	CFCSA Referrals
Description of services provided	<p>LSS provides legal representation to financially eligible clients who have a legal problem that falls under the Child, Family, and Community Service Act (CFCSA) and the LSS CFCSA coverage guidelines. The LSS guidelines cover situations where —</p> <ul style="list-style-type: none"> • the Ministry of Children and Family Development has taken, or threatens to take, their child(ren) away from them, or • legal representation is required to deal with custody and access issues related to a child in the care of the Ministry for Children and Family Development. <p>Legal aid provides coverage to obtain or vary access to children in continuing care of the Ministry for Children and Families.</p>
Clients served (provincial/supreme; limited income; etc.)	
Locations	Intake for CFCSA referrals is provided at 7 Regional Centres, 20 communities with Local Agents, and via a 1-800 phone line
Number of clients served	2392 referrals issued
Indicators of unmet demand, if available	2720 applications
Comments (future plans, evaluation results, federally funded etc.)	N/A

Legal Services Society:

Name of Service	Family Duty Counsel Projects
Description of services provided	<p>In fall 2002, LSS began establishing family duty counsel pilot projects in provincial courts across BC. The projects provide two duty counsel on family list days (i.e. first time court appearances for Family Relations Act and Child, Family, and Community Service Act matters, usually held one to two days each week in larger centres and once a month in smaller communities).</p> <p>The pilots includes giving financially eligible family clients access to alternative dispute resolution services;</p> <ul style="list-style-type: none"> • up to 3 hours of legal advice; • duty counsel assistance and consistency of counsel for return visits; • help with preparing consent orders or family agreements and uncontested custody, access or support hearings; and • access to print and on-line family self-help materials through Family Law LINKs. <p>Priority is given to people who have matters in court that day and who meet the LSS income test for advice services</p> <p>There are some variations in the projects. Surrey has a full-time lawyer acting as lead duty counsel on all court days, as well as a second lawyer from a rotating roster present to avoid conflicts. Appointments to get advice may be made directly through the lawyer. Port Coquitlam is similarly set up with a lead duty counsel present three days per week, and a second lawyer from the roster. conflicts. Appointments for advice may be made directly with the lead lawyer.</p> <p>Vancouver’s Robson Square duty counsel project operates in collaboration with family justice counsellors with whom counsel are co-housed at the provincial court. Clients are offered “one stop shopping” with the opportunity to access and get assistance with, on-line self help materials through the LSS LINK and Family Law in BC websites; as well as referrals to and between the FJCs and duty counsel lawyers.</p>

Name of Service	Family Duty Counsel Projects (continued)										
Description of Services (continued)	<p>The primary difference between Vancouver, Surrey, Port Coquitlam and other duty counsel locations, is that counsel can take appointments for advice (as opposed to a drop in service) and counsel are present for more days than the initial appearance dates.</p> <p>The pilots will run until March, 2004.</p>										
Clients served (provincial/supreme; limited income; etc.)	<p>Clients served are unrepresented by counsel, predominantly those with matters in Provincial court, and of modest income. To help integrate services where possible, the test used to determine financial eligibility for duty counsel service (set out below) is the test used by the family justice counsellors (FJCs).</p> <p>Family Duty Counsel Financial Eligibility Test</p> <table border="0"> <thead> <tr> <th data-bbox="571 835 971 869">Number of family members*</th> <th data-bbox="1003 835 1286 869">Annual/Monthly net income**</th> </tr> </thead> <tbody> <tr> <td data-bbox="613 907 743 940">4 or fewer</td> <td data-bbox="1068 907 1312 940">\$28,000/\$2,333.33</td> </tr> <tr> <td data-bbox="613 945 630 978">5</td> <td data-bbox="1068 945 1312 978">\$33,000/\$2,750.00</td> </tr> <tr> <td data-bbox="613 982 630 1016">6</td> <td data-bbox="1068 982 1312 1016">\$35,000/\$2,916.67</td> </tr> <tr> <td data-bbox="613 1020 743 1054">7 or more</td> <td data-bbox="1068 1020 1312 1054">\$38,000/\$3,166.67</td> </tr> </tbody> </table> <p>* “Family members” include a parent or person looking after the children, and the children who live with that person. ** “Income” is the person’s net income from all sources, but not including the income of a new spouse.</p> <p>Some clients with Supreme Court matters are served where there are no other resources to assist them and the client finds his/her way to duty counsel; some may be referred by FJCs. Family duty counsel may also assist clients with SC problems where a matter is jurisdictionally intertwined and he/she has particular expertise e.g. family maintenance enforcement proceedings and/or need to vary SC maintenance order. Clients who exceed the financial test may be assisted, but counsel has the discretion to limit assistance, which must be given to the financially eligible clients in preference to ineligible clients.</p>	Number of family members*	Annual/Monthly net income**	4 or fewer	\$28,000/\$2,333.33	5	\$33,000/\$2,750.00	6	\$35,000/\$2,916.67	7 or more	\$38,000/\$3,166.67
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Name of Service	Family Duty Counsel Projects (continued)
Locations	<p>The ultimate goal is to provide this service in all full service and some circuit provincial courts across the province. The service has been available in Vancouver since November 2002. Since then, pilots have been established in Surrey (January 2003); Prince George (February); Colwood, Nanaimo, Prince Rupert, Smithers, Terrace and Victoria (March); Kamloops and Kelowna (April); and Richmond (August).</p> <p>Locations started in September are: Abbotsford, Burns Lake, Campbell River, Courtenay, Chilliwack, Cranbrook, Dawson Creek, Duncan, Fort St. John, Nelson, New Westminster, North Vancouver, Penticton, Port Coquitlam, Quesnel, Sechelt, Salmon Arm, Vernon, and Williams Lake.</p> <p>Locations starting in October are: New Hazelton, Powell River, Fort St. James, Fernie, Creston, Golden, Fort Nelson, Rossland and Castlegar, Port Alberni and Port Hardy. Grand Forks is anticipated to start in November.</p>
Number of clients served	<p>Approximately 3,204 clients have been served in the 11 project sites which commenced prior to August, 2003; between Nov. 2002 and end September, 2003.</p>
Indicators of unmet demand, if available	<p>The number of clients who seek assistance from provincial court family duty counsel with Supreme Court matters, is an indicator of an unmet demand for assistance with family matters in Supreme Court. Similarly, potential clients dropping by LSS intake and LSS family clinics indicate the unmet need.</p> <p>There is an unmet demand for service for low income family clients in remote and northern locations, as indicated by the perception of counsel who have worked there, and the lack of lawyers generally in those communities.</p>
Comments (future plans, evaluation results, federally funded etc.)	<p>Future plans include expansion of family duty counsel service to include counsel at case conferences in certain pilot locations. Details are to be worked out with interested members of the judiciary. Possible expansion of duty counsel services to more remote communities is being worked upon.</p> <p>The family duty counsel pilot projects are being evaluated. A detailed evaluation of the Robson project is underway, and as are plans to evaluate the service generally by examining a number of other locations.</p>

Legal Services Society:

Name of Service	Family Advice Lawyer Project										
Description of services provided	<p>LSS and the Ministry of Attorney General’s Family Justice Services Division (FJSD) are collaborating on a family advice lawyer project to provide up to three hours of free legal advice to low income parents experiencing separation or divorce.</p> <p>Legal advice is provided by LSS staff lawyers or private bar lawyers on the society’s family duty counsel pilot roster in that location, at the Family Justice Counsellors’ office. Clients are referred by FJCs and child support officers.</p> <p><i>Any client qualifying for FJC dispute resolution services may be referred for an initial 45 minute appointment with the advice lawyer. Clients who meet the ministry’s FJSD income screening criteria may receive up to three hours of advice lawyer services for issues concerning: custody, access, guardianship, and child support, property (limited), tentative settlement agreements and court procedures.</i></p> <p>The objectives are to: inform clients about their legal options, ensure settlements achieved with the help of family justice counsellors (FJC) are more durable by providing clients with appropriate and timely legal advice, and reduce the need for litigation.</p> <p>The project will continue through March 31, 2004.</p>										
Clients served (provincial/supreme; limited income; etc.)	<p>Clients served may have matters in either Provincial or Supreme Court or may not have commenced any legal proceedings at all. The test used to determine financial eligibility for advice lawyer service (set out below) is the test used by the family justice counsellors (FJCs).</p> <p><u>Family Duty Counsel Financial Eligibility Test</u></p> <table border="0"> <thead> <tr> <th data-bbox="570 1528 899 1556">Number of family members*</th> <th data-bbox="997 1528 1344 1556">Annual/Monthly net income**</th> </tr> </thead> <tbody> <tr> <td data-bbox="607 1560 716 1587">4 or fewer</td> <td data-bbox="1019 1560 1219 1587">\$28,000/\$2,333.33</td> </tr> <tr> <td data-bbox="607 1591 618 1619">5</td> <td data-bbox="1019 1591 1219 1619">\$33,000/\$2,750.00</td> </tr> <tr> <td data-bbox="607 1623 618 1650">6</td> <td data-bbox="1019 1623 1219 1650">\$35,000/\$2,916.67</td> </tr> <tr> <td data-bbox="607 1654 711 1682">7 or more</td> <td data-bbox="1019 1654 1219 1682">\$38,000/\$3,166.67</td> </tr> </tbody> </table> <p>* “Family members” include a parent or person looking after the children, and the children who live with that person. ** “Income” is the person’s net income from all sources, but not including the income of a new spouse.</p>	Number of family members*	Annual/Monthly net income**	4 or fewer	\$28,000/\$2,333.33	5	\$33,000/\$2,750.00	6	\$35,000/\$2,916.67	7 or more	\$38,000/\$3,166.67
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Name of Service	Family Advice Lawyer Project (continued)
Clients served (continued)	Although screened initially by the FJCs, counsel retest to determine whether to schedule additional appointments and to maintain LSS records for future evaluation.
Locations	<p>The service began as a part of the FDC project in Vancouver in November 2002. By spring 2003 it was also available in Kamloops, Kelowna, Prince George, Surrey, Vancouver, and Victoria.</p> <p>It is an expansion of a pilot project in Kelowna during 2001/2002 in which family justice counsellors referred selected clients to two private bar lawyers funded by LSS to provide summary advice services.</p>
Number of clients served	N/A
Indicators of unmet demand, if available	The fact that there are many clients who see FJCs, who do not meet the FJC narrow definition of “qualifying for FJC dispute resolution services” yet are referred by the FJCs to the Family Advice lawyers is a significant indicator of an unmet demand for service. The lawyers provide the service to the persons referred, although they outside the strict interpretation of “qualifying for dispute resolution services”. People involved in Supreme Court matters, who have property issues, or do not otherwise meet the definition (because the matter cannot be mediated, for example, family violence an issue or one party unwilling) need advice and assistance as well.
Comments (future plans, evaluation results, federally funded etc.)	<p>This project is funded in part by the AG’s department, with federal justice monies, in Surrey, Vancouver & Kelowna. This funding applies only to clients who meet the narrow FJC definition of “qualifying for FJC dispute resolution services”. Many other clients are seen by the Family Advice Lawyers, on referral by FJCs and are assisted and funded by LSS at the other locations. The FJCs supply office space for the lawyers to meet the FJC referred clients in every location, and provide administrative support such as reception.</p> <p>Continuation of the projects beyond March 31, 2004 is subject to adequate funding. An evaluation of the project at Robson Square is underway. Evaluation of the project in other locations is subject to funding but has been planned for by ensuring clients sign appropriate releases.</p>

Legal Services Society:

Name of Service	Supreme Court Advice Lawyer Project										
Description of services provided	An Advice lawyer will be available, for four hours one day per week, to provide unrepresented, low income litigants with: specific legal advice on family matters, limited advice on property matters, assistance and advice on court forms and procedures; referrals to and assistance with other resources, such as the LSS LINK. Advice lawyers will only provide advice. They will not appear in chambers or otherwise act in a traditional duty counsel capacity.										
Clients served (provincial/supreme; limited income; etc.)	<p>Clients served will unrepresented, have family matters in Supreme Court and be of modest income. To help integrate services where possible, the test used to determine financial eligibility for advice lawyer service (set out below) is the test used by the family justice counsellors (FJs).</p> <p><u>Family Duty Counsel Financial Eligibility Test</u></p> <table border="1"> <thead> <tr> <th data-bbox="573 909 899 936">Number of family members*</th> <th data-bbox="954 909 1297 936">Annual/Monthly net income**</th> </tr> </thead> <tbody> <tr> <td data-bbox="607 940 716 968">4 or fewer</td> <td data-bbox="1008 940 1208 968">\$28,000/\$2,333.33</td> </tr> <tr> <td data-bbox="607 972 618 999">5</td> <td data-bbox="1008 972 1208 999">\$33,000/\$2,750.00</td> </tr> <tr> <td data-bbox="607 1003 618 1031">6</td> <td data-bbox="1008 1003 1208 1031">\$35,000/\$2,916.67</td> </tr> <tr> <td data-bbox="607 1035 711 1062">7 or more</td> <td data-bbox="1008 1035 1208 1062">\$38,000/\$3,166.67</td> </tr> </tbody> </table> <p>* “Family members” include a parent or person looking after the children, and the children who live with that person. ** “Income” is the person’s net income from all sources, but not including the income of a new spouse.</p> <p>Clients who exceed the financial test may be assisted, but counsel has the discretion to limit assistance, which must be given to the financially eligible clients in preference to ineligible clients.</p>	Number of family members*	Annual/Monthly net income**	4 or fewer	\$28,000/\$2,333.33	5	\$33,000/\$2,750.00	6	\$35,000/\$2,916.67	7 or more	\$38,000/\$3,166.67
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Locations	The project is being piloted in Kamloops, Kelowna, Prince George and Victoria. It is commencing October 6, 2003 in Kamloops and Kelowna, October 20 in Prince George and October 14 in Victoria.										

Name of Service	Supreme Court Advice Lawyer Project (continued)
Number of clients served	As the project has just commenced or is about to commence in each of the locations, this cannot be determined at this date.
Indicators of unmet demand, if available	Clients attending provincial court family duty counsel services looking for assistance with Supreme Court matters; clients referred by Family Justice Counsellors (because they cannot assist with Supreme Court matters); grassroots organizations providing pro bono services (such as in New West) and societies organizing pro bono clinics such as the Salvation Army & Access Justice are all indicators of the need for assistance. Only LSS is providing assistance dedicated to family matters. Anecdotal observations from counsel and judges as to the numbers of unrepresented litigants in chambers, and a presentation at the July 2003 Family law CLE in Vancouver on the increase in unrepresented litigants reflect the apparent unmet need for assistance for people in Supreme Court.
Comments (future plans, evaluation results, federally funded etc.)	Pilot projects (run til March 31, 2004) will need to be evaluated. Funding needs to be established to continue, expand or vary the service. There is the potential for various forms of duty counsel assistance to unrepresented clients in Supreme Court. Variations may include assistance in the court room for unopposed, consent or urgent ex-parte applications and/or attendance at case conferences. Counsel attending case conferences has assisted in early resolution of cases in provincial court, it may be reasonable to have similar success in Supreme Court.

Legal Services Society:

Name of Service	Family Mediation Initiative
Description of services provided	<p>Through this initiative, LSS will provide limited funding for a maximum of 250 family cases that are amenable to mediation. LSS hopes this initiative will provide a viable alternative for people with low incomes to obtain final resolutions of their issues, even in high conflict cases. If a lawyer has a family referral that involves issues which he/she believe should be resolved through mediation, then the lawyer can seek a Mediation Services Authorization. Each authorization will allow counsel —</p> <ul style="list-style-type: none"> • up to three hours to assist the client before and during the mediation process; <i>and</i> • to retain a qualified mediator for up to six hours in accordance with the billing cautions in the Disbursements section of the <i>Guide to Legal Aid Tariffs</i> (the mediator’s name is required); <i>and</i> • up to three hours to prepare any agreement or consent order that results from the mediation. <p>A case will be authorized to go to mediation if counsel believes mediation is a viable option <i>and</i> all parties are willing to participate.</p>
Clients served (provincial/supreme; limited income; etc.)	<p>Mediation may be employed to resolve any of the wide range of family law issues, including custody and access, support, and property division. To qualify for a Mediation Services Authorization, a client must have an open LSS Family Law Referral.</p>
Locations	<p>This project is not restricted to one location; lawyers throughout the province can seek authorization for Mediation Services.</p>
Number of clients served	<p>As funding is limited, LSS will authorize only the first 250 requests.</p>
Indicators of unmet demand, if available	<p>LSS implemented this one-time family mediation initiative in response to requests from the bar that LSS increase support for mediation services.</p>

Name of Service	Family Mediation Initiative (continued)
Comments (future plans, evaluation results, federally funded etc.)	For evaluation purposes, lawyers and clients involved in this initiative must complete Evaluation and Results surveys The surveys will help LSS determine whether mediation helped resolve some or all issues, which issues, and how the resolution was formalized, if at all. If the mediation was unsuccessful in resolving the issues, contributing factors will be identified

Public Legal Education and Information

Name of Service	Major Public Legal Education and Information Providers
<p>Description of services provided</p>	<p>Public legal education and information is provided by many government and non-government agencies and organizations. Major non-government providers in BC include the Legal Services Society, People’s Law School, Law Courts Education Society, Canadian Bar Association BC Branch, and the Law Foundation. Many other organizations are also involved in providing legal information to their client groups. PLEI is provided in a variety of formats including workshops, publications, brochures, videos, tapes accessed via telephone, and websites. The following are examples of key family law PLEI publications and resources available in BC:</p> <p>Law Courts Education Society of BC:</p> <ul style="list-style-type: none"> • Aboriginal Parenting After Separation • Parents are Forever/Parent pour la Vie • Relationship Violence Case Studies <p>People’s Law School</p> <ul style="list-style-type: none"> • BC Child Support • The Childs’ Right to Love: Information for Grandparents, Relatives and Others Close to the Child <p>Canadian Bar Association, BC Branch</p> <ul style="list-style-type: none"> • Family Law – Dial – A- Law Tapes and Scripts • Family Violence – Dial - A – Law Tapes and Scripts <p>(Please see Legal Services Society pages for their PLEI publications).</p>
<p>Clients served</p>	<p>Anyone who chooses to access PLEI.</p>
<p>Locations</p>	<p>N/A</p>
<p>Number of clients served</p>	<p>N/A</p>
<p>Indicators of unmet demand, if available</p>	<p>N/A</p>
<p>Comments (future plans, evaluation results, federally funded etc.)</p>	<p>The BC PLEI Working Group is undertaking a PLEI needs assessment and survey, funded by the Law Foundation, in the coming year.</p>

Public Legal Education and Information

Name of Service	Ministry of Attorney General Family Justice Enquiry Line and Website
Description of services provided	The enquiry line is a toll free service that provides taped information on a variety of family law issues. Callers may also leave a message requesting that publications be mailed to them. The website, which operates through the Ministry of Attorney General website, offers information and publications. Both the website and enquiry line cover topics such as the basics of family law, options for decision making, who can help, BC's family justice system and other resources available.
Clients served (provincial/supreme; limited income; etc.)	Anyone may access either service.
Locations	The Enquiry line operates on a toll free basis throughout BC: 1-888-216-2211 In Vancouver: (604) 660-2192 The website is address is: http://www.ag.gov.bc.ca/family-justice/index.htm
Number of clients served	The enquiry line received an average of 626 calls per month in 2002/03.
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	The development of the website, and the development and on-going cost of the enquiry line, are funded by the Department of Justice Canada.

Public Legal Education and Information

Name of Service	Legal Services Society Law Line
Description of services provided	Legal information and referral for all callers; summary legal advice to clients who qualify financially. Calls received on a wide range of legal issues, including family, criminal, debtor/creditor, and administrative tribunals. Staff may initially determine a more appropriate or higher level of service is available elsewhere and suggest that service as an alternative. Potential services beyond initial phone interview include reviewing documents, sending correspondence, making phone calls, and drafting pleadings.
Clients served (provincial/supreme; limited income; etc.)	Phone service is province wide; no in person services. Advice services generally limited to three hours per client issue for financially eligible clients.
Locations	Service based at LSS Regional Office in Vancouver.
Number of clients served	Total calls taken approximately 2000 per month; roughly 35% are family law calls.
Indicators of unmet demand, if available	Statistical indicators include “abandoned” calls tracked by phone system. Anecdotal indicators include feedback from callers and staff about what level of service we were able to provide, compared to what full needs of client apparently were.
Comments (future plans, evaluation results, federally funded etc.)	Law Line information and referral services have been operating for several years. Expansion to legal advice began September 15, 2003, on a pilot basis to March 31, 2004. Interim evaluation scheduled for completion by end of February for assessment by LSS Board about continuing the expanded program.

Public Legal Education and Information

Name of Service	Legal Services Society: Public Legal Information Materials
Description of services provided	The society produces several publications relating to family law issues. Topics include If Your Marriage Breaks Up: Dealing with the Legal issues, Living Common-Law: Your Rights and Responsibilities, For the Sake of Our Children,(video) If your Child is taken by the Ministry, Legal Fact Sheets for Battered Women, Making your case (vide) Parents Rights, Kids Rights, and Sponsorship Breakdown. Speaking of Abuse, and For Your Protection: Peace Bonds and Restraining Orders are co-produced with Victim Services. Many of the publications are available in languages other than English.
Clients served (provincial/supreme; limited income; etc.)	Publications are available free of charge. The subject areas focus on issues affecting people with low or moderate incomes.
Locations	Publications are widely promoted and distributed through court services, family justice counselors, family service agencies, community organizations, government agents, LSS offices. As well, they are available on the LSS Web site. For detailed information about publications and ordering information, see http://www.lss.bc.ca/legal_info/pubs_main.asp
Number of clients served	Last year, the society distributed 125,500 copies of family law materials.
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	Although the society is encouraging people to use information that is available on the web site, it will continue to provide basic information in print in English and other languages to satisfy the needs of our client groups who prefer or require basic information in print form. New materials to replace Living Common Law And If your Marriage Breaks Up will be developed as multi lingual print and web products.

Public Legal Education and Information

Name of Service	Legal Services Society: Family Law Web site
Description of services provided	Web site dedicated to assisting people understand and resolve their family law issues (content and process)
Clients served (provincial/supreme; limited income; etc.)	Content directed to people of modest means. Complex property and or family businesses not covered. Includes self help kits for unrepresented litigants for initial applications, and variations of support orders in Family and Supreme Court, guides for parents and community workers in cases where child protection is an issue, as well as links to the Society's publications in pdf format that relate to Family Law
Locations	www.familylawlss.bc.ca
Number of clients served	The site receives 2300 visits each month.
Indicators of unmet demand, if available	A review of phase one of the site, conducted last spring identified a number of potential changes and additions to the site, including more self help kits, development of interactive forms and more detailed information on how to get free or low cost assistance.
Comments (future plans, evaluation results, federally funded etc.)	See above. The review of phase one was carried out by Kinetix media Communications. The review determined that the site is well used by people who are helping people use the justice system. Personal users expressed satisfaction with the information that was available. Development of the web site is funded by the Law Foundation.

Public Legal Education and Information

<p>Name of Service</p>	<p>Legal Services Society: Legal Information Network Kiosk (LINK)</p>
<p>Description of services provided</p>	<p>A legal information network kiosk (LINK) is a public access computer people can use to find legal information and self-help resources on the Internet. LINK computers, along with selected LSS print materials, are currently available at 7 LSS Regional Centres, 12 Local Agent offices, and 59 government agent offices. At Regional Centres these services are known as LINKPLUS because they also provide additional resources such as legal information videos.</p> <p>LINK computers feature a front page with buttons (see below) that give quick access to specific areas of law. This page is accessible from any computer at: http://www.lss.bc.ca/lsslink.</p> <p>LINK's topical hot buttons</p> <ul style="list-style-type: none"> General Information ● Electronic Law Library ● Legal Services Society Topics ● Aboriginal Issues ● Criminal ● Debt, Credit, and Bankruptcy ● Employment ● Family ● Immigration ● Legal Aid ● Pensions ● Tenancy / Renting ● Welfare ● Wills, Estates, Probate ● Workers' Compensation <p>The courthouse LINKs are also referred to as Family Law LINKs because they provide added support for the Family Duty Counsel projects.</p>

Non-governmental Organizations and Agencies

Name of Service	Various organizations
Description of services provided	<p>Non-governmental organizations provide a variety of services to families experiencing separation and divorce, ranging from provision of information, referral to other services, support and counselling and advocacy. Examples include:</p> <p>Women's agencies: Transition Houses in many BC communities Vancouver Custody and Access Support and Advocacy Central Okanagan Elizabeth Fry Society Cranbrook Women's Resource Society</p> <p>Father's Groups: Non-custodial Parents Association Father's Rights Action Group Parent and Child Advocacy Coalition</p> <p>Counselling and Support Services: Victoria Single Parent Resource Centre Society Separation and Divorce Resource Centre (Victoria) Burnaby Family Life Institute Divorce Lifeline Living Through Loss Counselling Society of BC (Vancouver)</p> <p>Multicultural / First Nations Organizations: MOSAIC (Vancouver) Multicultural Society of Kelowna Carrier Sekani Family Services Native Courtworker and Counselling Service of BC Native Friendship Centres</p> <p>Family Service Agencies: Ark Child Services Society (Burnaby) Family Education and Support Centre (Maple Ridge) Comox Valley Services Association</p>
Clients served	Varies by organization
Locations	In most communities
Number of clients served	Not known
Indicators of unmet demand, if available	Unavailable
Comments (future plans, evaluation results, federally funded etc.)	

Non-Governmental Organizations and Agencies

Name of Service	Pro Bono clinics
Description of services provided	<p>Lawyers donate their time to provide legal advice to low income clients without charge, through clinics. Clients contact the clinic and book an appointment, usually a half hour. Lawyers will provide advice and assistance with form completion, but will not represent a clinic client in court. Because the clinics are staffed by lawyers on a rotation basis, clients are not likely to see the same lawyer if they return for further service. Clinics usually operate for a limited numbers per week.</p> <p>There are two organizations that provide most of the pro bono clinic services in BC: the Salvation Army and the Western Canada Society to Access Justice.</p>
Clients served (provincial/supreme; limited income; etc.)	<p>Services are income tested, and aimed at low income people. Low income individuals who are not financially eligible for legal aid, or financially eligible but do not meet the coverage criteria, may be served by pro bono clinics.</p>
Locations	<p>ProBonoNet BC lists clinics that provide family law services in the following areas:</p> <p>Southern Islands: 7 clinics Vancouver, Coast and Mountains: 22 clinics Thompson/Okanagan: 5 clinics BC Rockies / Kootenays: 3 clinics North Eastern BC: 3 clinics</p>
Number of clients served	Not available at this time.
Indicators of unmet demand, if available	Not available at this time.
Comments (future plans, evaluation results, federally funded etc.)	<p>Pro Bono Law of BC was formed in 2002 to promote, coordinate and facilitate the delivery of pro bono legal services in BC. It has established best practices protocols and a website to link lawyers interested in pro bono work with community organizations. It was also instrumental in organizing the Law Societies' insurance coverage for non-practicing lawyers who wish to provide pro bono services. Both the Salvation Army and Access Justice have signed onto Pro Bono Law of BC's Best Practices protocols.</p>

Private Sector:

Name of Service	Family Mediation Services
Description of services provided	<p>A variety of family mediator services are available to the public and the justice system. This includes:</p> <ul style="list-style-type: none"> • private sector practitioners, such as family law mediators who by completing the Law Society's requirements are designated family law mediators; • accredited members of Family Mediation Canada, a national organization with an accreditation process; and • members of non-profit organizations, such as the BC Mediator Roster Society. •
Clients served (provincial/supreme; limited income; etc.)	Litigants throughout the province can access these services, generally through websites or by telephone.
Locations	Mediators are available, in varying concentrations, province-wide.
Number of clients served	N/A
Indicators of unmet demand, if available	N/A
Comments (future plans, evaluation results, federally funded etc.)	To date, the demand for mediation services has not outstripped the supply of qualified mediators; however, this could become problematic in the future, especially in the northern interior, northern and south eastern parts of the province.

Private Sector:

Name of Service	Legal services provided by the private bar
Description of services provided	All legal services referred to under the umbrella of “family law”, including drafting contracts, litigation and mediation. May also overlap into areas of Corporate and Tax law, as well as Wills and Estates.
Clients served (provincial/supreme; limited income; etc.)	Legal services are provided in all levels of Court. Clients are required to pay their lawyers, either on an on-going basis or from the proceeds of sale of family and other assets.
Locations	Throughout B.C.
Number of clients served	Essentially, all lawyers' clients who are not covered by the Legal Services Society.
Indicators of unmet demand, if available	The number of self-represented litigants appearing at Court, especially in Supreme Court, speaks to the issue of this service: cost. While many of the services provided by the private bar can be extremely cost efficient, contested action and litigation can be expensive.
Comments (future plans, evaluation results, federally funded etc.)	The private bar in the area of family law has seen tremendous growth over the last 20 years. Whether that demand and growth can, will or should continue remains to be seen.

Private Sector:

Name of Service	Collaborative family law (“CFL”)
Description of services provided	As in general family law, CFL can provide legal services referred to under the umbrella of “family law”, including drafting contracts, and mediation. A key feature is the contract among parties and their lawyers to resolve their dispute without going to court. If either party brings on a contested court application, the counsel must resign the and cannot continue acting in the contested court proceeding. Another unique feature is the inclusion of other professionals. Mental Health professionals can be retained by the parties to help resolve parenting issues, communication, and to work with them on underlying emotional issues. Financial Specialists are available to work with the parties as a neutral, and Child Specialists are available to give a voice to the children. If any valuations are needed, these are done by way of neutral experts, unlike the usual use of experts in family law, who typically work for one client.
Clients served (provincial/supreme; limited income; etc.)	This is essentially a service for clients with the resources to pay for counsel. There is a small pilot Collaborative Practicum being run out of UBC commencing in January to service a low income clientele.
Locations	In most parts of the province. Currently, lawyers have been trained in Vancouver and the lower mainland, Vancouver Island (including Victoria and Nanaimo) the Okanagan, the Kootenays, Prince George and Dawson Creek. Collaborative groups have formed in the Vancouver, the lower mainland, Victoria, Nanaimo, Courtney, Kootenays, and Kelowna.
Number of clients served	At this point, limited; however, the demand for these services has grown remarkably fast.
Indicators of unmet demand, if available	Not available.
Comments (future plans, evaluation results, federally funded etc.)	CFL has experienced extremely rapid growth in BC. Of emerging concern is how to fund this resource for a low-income clientele. Because of the support built into the collaborative process, it meets the needs of clients who may not be able to utilize mediation because of too much conflict or because of an inability to negotiate without the support of an advocate.

Ministry of Human Resources:

Name of Service	Family Maintenance Program
Description of services provided	<p>BC Employment and Assistance recipients are required to assign their maintenance rights to government. Assignment applies to either child or spousal maintenance rights and means that government can obtain a court order and enforce these rights on clients' behalf. Individuals must assign their maintenance rights to be eligible for financial assistance.</p> <p>Through the Family Maintenance Program (FMP), the Ministry assists assigned income assistance recipients to seek maintenance from those legally obligated and financially able to pay support. The Ministry seeks (1) ensure that family breakdown does not impoverish dependent family members or place an excessive burden on public funds, (2) promote the financial independence of clients by ensuring that they have enforceable maintenance orders. The Family Maintenance Program uses the Family Maintenance Enforcement Program (FMEP) to monitor and enforce all maintenance orders belonging to income assistance recipients.</p> <p>Assigning maintenance rights means that recipients no longer have to go after or collect maintenance payments on their own or at their own expense. FMP workers and lawyers are available to help recipients get a legal order or agreement for the maintenance that is due to them. The order or agreement can remain in place even after the recipient leave BC Employment Assistance and can help them in their transition to work.</p> <p>The Ministry Family Maintenance Workers:</p> <ul style="list-style-type: none"> • Refer recipients and their children to community agencies for counseling and support services. • Work on recipient's behalf to get consent order where possible. • Apply to the court to get a legal order if a consent order cannot be reached with the other parent. • Answer questions recipients have about the court and how it works. • Assist recipients in changing an order to meet Child Support Guidelines. • Help recipients if the other parent applies to court to lower or cancel their maintenance payments. • Enroll recipient's maintenance order FMEP

Name of Service	Family Maintenance Program (continued)
Clients served (provincial/supreme; limited income; etc.)	BC Employment and Assistance clients. FMP is mandated to work with both Provincial & Supreme court actions under the BC Family Relations Act.
Locations	All major communities within BC
Number of clients served	There are presently 23,444 open Family Maintenance files.
Indicators of unmet demand, if available	There are 24,210 single parents in receipt of Employment & Assistance.
Comments (future plans, evaluation results, federally funded etc.)	Future plans for the program are in the process of being evaluated.