



**Ministry of Attorney General  
Justice Services Branch  
Family Justice Services Division**

# **Comprehensive Child Support Services Pilot Project**

## **Formative Evaluation Summary**

**November, 2002**

The Government of Canada contributed funds for the Comprehensive Child Support Services Pilot Project and evaluation.

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## Section 1. Introduction

In 1997 amendments to the *Divorce Act* introduced Child Support Guidelines as a new method for determining child support amounts in Canada. In the following year, BC's *Family Relations Act* was amended to adopt the Guidelines for use under provincial legislation. The Guidelines were intended to provide greater consistency and predictability in the determination of child support amounts leading to reduced litigation of child support issues. To further the goals of the Guidelines, the Department of Justice Canada provided funds to provinces and territories for innovative activities and services related to child support. Of particular interest to Justice Canada was the development of administrative mechanisms to determine or change the amount of child support without the need for a judicial order.

In February 2002 the BC Ministry of Attorney General launched the Comprehensive Child Support Service (CCSS) pilot project<sup>1</sup> in Kelowna with federal funding assistance. The pilot was developed to complement other family justice services by providing parents with specialized assistance in child support matters, information on enforcement, and access to dispute resolution alternatives and related services. This report is a summary of the evaluation conducted on the CCSS pilot project. This report presents a summary of an evaluation conducted of the CCSS pilot project prepared by R.A. Malatest & Associates<sup>2</sup>.

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<sup>1</sup> *The Government of Canada contributed funds for the Comprehensive Child Support Services Pilot Project and evaluation.*

<sup>2</sup> *Formative Evaluation of the Comprehensive Child Support Services (CCSS) Pilot Project*, R.A. Malatest & Associates, November 2002.

## **Section 2. Pilot Project Context: Rule 5 and Other Kelowna Family Justice Programs**

Prior to the development of CCSS the Ministry of Attorney General had implemented two other services with federal funding assistance. In 1998, a child support clerk service was introduced in several locations to assist parents with information and the calculation of child support amounts. This service continued in most locations until 1999/2000 and subsequently only at Rule 5 locations (see below).

*Also in 1998 the Family Justice Registry (Rule 5) project began in three locations.* Rule 5 of the Provincial Court (Family) Rules requires that parties with issues related to the Family Relations Act (FRA) that are not urgent<sup>3</sup> meet with a Family Justice Counsellor (FJC) prior to court for a triage interview. During the interview, the FJC informs parties about the range of options for resolving custody, access, guardianship and support issues. The FJC can refer parties to mediation or other appropriate services. Cases that proceed to court also benefit from the clarification and narrowing of issues that occurs during triage sessions. Rule 5 was extended to Kelowna in May 2001<sup>4</sup>.

CCSS was designed to build on the child support clerk experience and integrate enhanced child support functions with other family justice services in Kelowna. Before the CCSS pilot project began, the Kelowna Family Justice Centre offered a number of services to parents, including: Rule 5 triage (just described), regular Family Justice Counsellor (FJC) mediation, and the Parenting After Separation program.

Family Justice Counsellor mediation is available to assist parents with the resolution of child custody, access, guardianship and support issues. Parenting After Separation (PAS) is a three-hour information session that provides parents with information on family law, the court process and dispute resolution alternatives. PAS also offers advice to parents on how to focus on the best interests of their children during separation and/or divorce. In Kelowna, attendance at both PAS and Rule 5 triage are required steps for parents prior to an appearance in provincial court.

In addition to services offered at the Family Justice Centre, the Ministry of Human Resources (MHR) operates the Family Maintenance Program for its clients. This program assists parents in receipt of assistance to obtain or change child support orders.

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<sup>3</sup> Urgent cases include *Family Relations Act* s.37 and s. 38 applications for restraining orders which are exempt from Rule 5. Court rules state that other "urgent and exceptional" issues may be exempted under a claim of urgency.

<sup>4</sup> Note that the Kelowna Rule 5 service did not include a child support clerk.

### Section 3. CCSS Services

The CCSS project was developed to complement Rule 5 and other services by providing the following specialized child support services<sup>5</sup>:

- **Child Support Officer (CSO):** The CSO assists parents to navigate the procedures involved in obtaining and changing child support orders/agreements. The CSO provides help with income disclosure, calculation of child support amounts and preparation of court documents. If the clients wish, she also helps them to reach agreement on their child support issues using facilitated negotiation. A key role of the CSO is to manage case flow for clients. (See Table One on p.3 for further information on services provided by the CSO).
- **Debtor Assistance Program:** The Debtor Assistance Program provided clients with financial counselling and assistance with debt consolidation. In the context of the CCSS, Debtor Assistance helped parents to understand the priority of making child support payments and suggests financial strategies for realizing that goal. Initially Debtor Assistance services were available through the CCSS on an itinerant basis two days per month. However, very shortly after the pilot project began, province-wide service reductions were implemented; during most of the evaluation period Debtor Assistance services were provided to CCSS clients by telephone.
- **Family Maintenance Enforcement Program (FMEP) Outreach:** The Outreach project of FMEP is itself a pilot project that operates in Kelowna. The Outreach Officer meets with clients to provide information about FMEP and manage the particulars of their child support enforcement file. The officer may refer a client to the CSO if there seems to be a need for a variation of child support; the CSO may refer clients to the Outreach Officer for information on enforcement and their case.
- **Limited Legal Advice:** CCSS clients may access up to three hours of a lawyer's time to review options, draft written agreements and prepare legal documents should they go to court. The lawyer does not represent CCSS clients in a legal sense and does not appear for or with them in court. A limited advice lawyer is available through CCSS one morning a week. The CCSS project has contracted with Legal Services Society for lawyers<sup>6</sup> to provide these services.

The CCSS project operates at the Kelowna Family Justice Centre. CCSS clients may be referred to other services at the Family Justice Centre including FJC mediation (to address child custody and other issues related to child support), to PAS and/or triage at the discretion of the CSO. The CSO may also refer clients to MHR's Family Maintenance Program, and vice versa.

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<sup>5</sup> Unlike Rule 5 triage, participation in CCSS is not required prior to a court appearance.

<sup>6</sup> More than one lawyer is needed to ensure service where a conflict exists because a particular lawyer has represented a party in the past. During the evaluation period two lawyers acted as limited legal advice lawyers; since then the number has increased to four.

## **Table One**

### **Child Support Officer Functions**

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#### **Brief Services**

The CSO provides general information on child support guidelines, CCSS services and options. If clients wish further service, the CSO opens a file for them.

#### **Intake Services**

Case Management: The CSO interviews clients to assess their circumstances and determine the services that could be of use to resolve their issues. She develops a case plan, refers clients to CCSS service providers and follows up on progress. She also tracks events using a case management tracking form.

Child support calculations: The CSO assists parties to obtain financial documents, contacts the other party as required, interprets financial information to determine income and performs calculations of child support amounts using ChildView software.

Facilitated Negotiation and Issue Resolution: If parties wish, the CSO assists them to reach an agreement regarding child support using a facilitated negotiation process. She also prepares consent documents for filing with the court as required.

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The CCSS differs from the service provided by child support clerks at other Rule 5 locations because it provides access to a broader range of services (including the Debtor Assistance program, FMEP Outreach and Limited Legal Advice). The CSO also provides facilitated negotiation and case management which are not provided by child support clerks.

## **Section 4. Scope of the CCSS Project**

All parents who wish to establish or change child support arrangements are eligible to receive CCSS services. This includes parents with provincial or Supreme Court matters, those enrolled in FMEP (or not), and those with reciprocal maintenance enforcement (REMO) issues.

When the CCSS was first implemented, only limited help for Supreme Court clients was available. The CSO could provide limited information about procedures and forms and the legal advice lawyers could review court documents, applications and affidavits. Full Supreme Court training for the CSO was delayed until self-help kits on the variation of child support in Supreme Court were made available by the Legal Services Society. Training of the CSO in Supreme Court matters has now been completed.

The CSO has no authority to cancel or change child support arrears. All such cases are referred to court. This policy applies to other family justice services (family justice counsellor services and FMEP, for example) throughout the province.

## Section 5. Unique Characteristics of the CCSS Pilot Project

The goal of the CCSS is to "assist parents to resolve disputes and speed up changes to child support orders and written agreements that are consistent with the Child Support Guidelines". The CCSS project was designed to achieve this goal by providing:

- An **appropriate array** of services for people dealing with child support issues: child support calculations, facilitated negotiations, information on enforcement matters, and legal and financial advice. As well, the CSO can refer clients to mediation for related issues.
- An **integration** of services, to be achieved by way of co-location of services<sup>7</sup> and case management provided by the CSO.

In both these features the Kelowna CCSS is unique. Although many of the family justice services provided in Kelowna are also provided at other sites around the province, the particular array of services and the case management approach are unique to Kelowna. As a pilot project, CCSS provides an opportunity to examine the extent to which both these features enhance the effective and efficient resolution of child support issues.

## Section 6. Evaluation Issues and Research Approach

The evaluation was undertaken to assess the success of project implementation and delivery and to explore preliminary outcomes that could be attributed to the CCSS<sup>8</sup>. Three objectives and eight related questions were identified to guide the evaluation:

**Objective 1: Determine the degree to which the CCSS assists people to resolve issues regarding child support pursuant to consent orders, court orders, and agreements.**

Questions:

1. How well does the array of services provided by the CCSS assist parents to resolve child-support issues?
2. How well are parents advised of and prepared for referrals to CCSS resources?
3. How well does facilitated negotiation help parents to resolve child support issues?
4. To what extent do the CSO and CCSS-related services assist parents to assess financial issues and, when appropriate, re-calculate child support amounts?

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<sup>7</sup> All CCSS and referral services, except Debtor Assistance and MHR's Family Maintenance Program, are located at the Kelowna Family Justice Centre.

<sup>8</sup> As a control group was not used in this study, incremental impacts of the CCSS project could not be quantified.

**Objective 2: Determine the effectiveness of the integrated case management model of service delivery employed by the CCSS.**

Questions:

5. How well are CCSS services co-ordinated through the case management model?
6. Are changes to existing child support orders and agreements made in a timely manner through the CCSS case management model?

**Objective 3: Identify effective practices and/or any barriers in the implementation of the CCSS pilot to inform future program implementation.**

Questions:

7. In what ways are CCSS service delivery processes and practices effectively implemented?
8. To what extent are any barriers to the implementation of the CCSS service delivery processes and practices impeding effective delivery of services?

To answer the evaluation questions the evaluators relied on three data sources:

- review and analysis of information contained in 45 case files maintained by the CSO (these represent all the cases that were initiated and closed during the first 6 months of the project);
- a telephone survey with 32 individuals who had accessed the CCSS ; and their cases had closed;
- interviews with 10 service providers, including the CSO, the FMEP Outreach Officer, one Legal Advice Lawyer, a Court Registry Clerk, a Family Maintenance Worker from MHR and Family Justice Centre staff.

The evaluation period covered the first six months of the CCSS project implementation, from February 1 to July 31, 2002.

## **Section 7. Case Characteristics**

By the end of the evaluation period, 224 people had received brief services and 111 people had completed an intake interview<sup>9</sup>. The case files reviewed indicate that many CCSS clients accessed the service by way of self-referral (44%). Sixteen percent were referred by the Family Maintenance Program (MHR) and another 13% were referred by FMEP. Other sources of referral included the court registry (7%), FJCs (4%), the Debtor Assistance Program, (2%) and private lawyers (2%).

Close to 60% of the cases reviewed were initiated by the parent responsible for paying child support. In 73% of cases clients wanted to change an existing child support order

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<sup>9</sup> See Table One on p. 3 for services provided as brief and intake services.



or written agreement, and 18% were seeking an order or written agreement to change an informal agreement. Several survey respondents indicated that they accessed CCSS services to obtain or clarify information about legal obligations and child support in general. Although parents may have a number of interrelated issues to address when they first contact the family justice system, 75% of the CCSS clients surveyed indicated that child support was the only issue in their case. Slightly more than a quarter of the CCSS cases reviewed for the evaluation involved a Supreme Court matter and close to half involved arrears issues.

## **Section 8. Key Evaluation Findings**

The findings of the evaluation are presented according to the evaluation objectives and questions outlined above.

### **Evaluation Objective 1: Determine the degree to which the CCSS assists people to resolve issues regarding child support pursuant to consent orders, court orders, and agreements.**

#### **1. The array of services provided through the CCSS assists parents to resolve child support issues.**

The results indicate that the CCSS assists parents in resolving issues related to child support amounts. For example:

- Close to 60% of clients resolved their child support related issues through the CCSS; in 31% of cases parents resolved their issues by consent and in 27% of cases the initiating parent decided against pursuing a change in their child support amount altogether;
- Overall, clients were satisfied with the information and services received from the CSO and other CCSS service providers; and,
- Fourteen out of 15 clients who had acted on referrals made by the CSO felt they had received all the services they needed, an indication of satisfaction with the array of services provided.

While generally positive in their views of the CCSS, two gaps in the array of services were identified by some service providers. Both relate to the scope of the project. The first gap was the ability to fully assist Supreme Court clients. As was described above, the CSO had not received training to assist people with the completion of Supreme Court documents and forms at the time of the evaluation. This training has since been completed and Supreme Court clients now receive assistance.

The second gap identified by service providers was the lack of authority of the CSO or FMEP Outreach Worker to change or cancel child support arrears. However, dealing directly with arrears is not within the scope of the CCSS (see above).

**2. After contacting the CSO, parents were well advised of their options within CCSS.**

During intake, the CSO discusses the range of options and CCSS services available to parents to assist them with child support issues. In the client survey, parents indicated that they had been well informed of the options and array of CCSS services available to them. CCSS service providers indicated that clients referred to them by the CSO were appropriate, and had a more refined knowledge and understanding of the child support issues after their contact with the CSO.

**3. Facilitated negotiation is a valuable tool for resolving child support issues.**

Facilitated negotiation, where used, was successful in facilitating an open exchange of information leading to the resolution of clients' child support issues. In fact, all survey respondents who had participated in facilitated negotiation indicated that they had been able to reach an agreement with the other parent during the session. While facilitated negotiation was not utilized in many of the cases included in the case file review, the CSO has indicated that its use is increasing<sup>10</sup>.

**4. The CCSS is effective in helping clients to assess financial issues and re-calculate child support amounts.**

The evaluation indicates that assessment of financial issues and re-calculation of child support amounts is a valuable service in several respects. Clients assigned a high level of importance to these aspects of the CCSS project. CCSS service providers indicated that the assessment of financial issues and re-calculation of child support amounts is valuable because:

- The identification of correct child support amounts clarifies the level of responsibility of each parent;
- This information and assistance helps keep cases out of the courts; and,
- Clients are better prepared with documentation and information.

**Evaluation Objective 2: Determine the effectiveness of the integrated case management model of service delivery employed by the CCSS.**

**5. The case management model is successful in coordinating referrals and services for clients.**

The integrated case management model facilitates the coordination of CCSS services in a variety of ways. The CSO assesses client requirements, makes referrals to CCSS and other services, makes appointments on behalf of clients and follows up to ensure that cases progress. Of the 15 clients surveyed who had acted on referrals made by the CSO, 12 agreed or strongly agreed that the CSO helped to coordinate the services they received.

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<sup>10</sup> Facilitated negotiation is not appropriate for every case. Facilitated negotiation was offered to both parents in 13 of the cases reviewed; in 4 cases both parents accepted the offer and facilitated negotiation occurred. The CSO estimates that 50% to 60% of cases to date (including on-going cases) have received facilitated negotiation.

The informal communication that occurs between the service providers at the Family Justice Centre results in a seamless process for clients accessing the array of services available through CCSS. Some of the clients surveyed indicated that they had to provide the same information to the different service providers they met with; however, the repetition of information was expected by clients and considered to be necessary.

**6. Results indicate that the CCSS case management model facilitates timely resolution of child support issues.**

Service providers noted that case length is influenced by the clients themselves (who may take time to think about their issues and/or act on suggestions) and by the level of cooperation between the parties. Ninety-four percent of clients surveyed indicated that they were able to make an appointment with the CSO within a reasonable amount of time. Seventy-six percent believed that the services provided by the CSO helped to speed up making changes to child support amounts.

**Evaluation Objective 3: Identify effective practices and/or any barriers in the implementation of the CCSS pilot to inform future program implementation.**

**7. Service providers and clients identified a number of effective practices in the CCSS project.**

In reflecting upon their experiences with the CCSS, service providers identified the following as factors that contributed to the successful implementation of the CCSS:

- “One Stop Shop”: Providing related services at a single location facilitates seamless delivery and timely resolution of issues.
- Supportive internal environment: Several of the family justice service providers involved in the CCSS had worked together prior to the start of the pilot project; thus they started the project with an established and solid working relationship. Service providers also felt that they receive support from the other members of the CCSS team.
- Development of partnerships: An important attribute of the CCSS pilot project is the partnership that developed between participating programs (e.g. the CCSS and FMEP) and ministries (MHR and Attorney General). This partnership was enhanced by the joint development of CCSS policies and procedures prior to the start of the pilot project.
- Experienced service providers: Both the CSO and the FMEP Outreach worker had extensive experience working with child support cases when they became involved in the pilot project. Clients identified the following as particularly beneficial characteristics of CCSS:
  - more personalized service that considers individual case characteristics;
  - the neutrality of the service provider; and,
  - the non-confrontational approach to issue resolution.

**8. REMO cases face specific barriers.**

The CSO indicated that dealing with reciprocal enforcement of maintenance orders (REMO) cases can present a particular challenge related to geographic location. In cases involving REMO, parents live in different jurisdictions. Therefore, the ability of the CSO to deliver services to both parties (such as facilitated negotiation) is limited because of the physical distance between the parents.