

Evaluation of Online Parenting After Separation

Prepared for:

*Family Justice Service Division
Ministry of Justice*

Prepared by:

Catherine Tait Consulting

Final Draft Submitted:

April 20, 2016

Acknowledgements

The evaluator would like to acknowledge the support and assistance provided by Dave Nolette of Justice Education Society, Patricia Elliott of Family Justice Services Division, Ministry of Justice, and Cindy Eng, Court Services Branch, Ministry of Justice. Thanks are also extended to the Parenting After Separation contractors and facilitators who managed the distribution and collection of participant feedback forms at the in-person PAS sites and the FJSD Local Managers and Court Service Branch staff who participated in staff interviews.

Table of Contents

Acknowledgements	i
------------------------	---

Chapter One: Introduction

A. Introduction.....	1
B. About PAS and OPAS	2
C. Evaluation Objectives	3
D. Methodology and Data Sources.....	3
E. Presentation of Evaluation Results	7

Chapter Two: Participation Rates for OPAS and PAS

A. Baseline and Pilot Periods.....	8
B. Court Cases and PAS Compliance Documents.....	8
C. Participation Rates for In-person PAS and OPAS.....	12
D. How Participants heard about PAS and OPAS	19
E. Staff interviews regarding registration and completion rates	20
F. Use of Notices of Motion	26
G. Conclusions Regarding Participation Rates	28

Chapter Three: Participant Satisfaction and Learning Outcomes

A. Participant Satisfaction	31
B. Learning Outcomes.....	36
C. Conclusions Regarding Participant Satisfaction and Learning Outcomes	39

Chapter Four: Impacts on Court Use

A. PAS and OPAS Impact on Court Use	40
B. Participant Intentions to Use Court and Non-court means to Resolve Family Issues.....	40
C. Participant Actions Taken to Resolve Family Issues	42
D. Impact of PAS and OPAS on Intention to use Court and Mediation to Resolve Issues.....	47
E. Diversion from Court	49
F. Conclusions Regarding Impact on Court	50

Chapter Five: Reported Advantages, Disadvantages and Suggestions for Improvement

A. Advantages and Disadvantages of in-person PAS	52
B. Advantages and Disadvantages of OPAS.....	54
C. Potential to expand OPAS.....	55
D. Suggestions for Improvement.....	56
E. Conclusions regarding Advantages, Disadvantages, Potential Expansion and Suggested Improvements	58

Appendix

Chapter One: Introduction

A. Introduction

Until October 2013, the British Columbia Ministry of Justice, Family Justice Services Division offered in-person Parenting After Separation (PAS) sessions in 17 locations¹ for separating and divorcing parents. At in-person PAS, facilitators use videos and handouts to explain the impact of separation on parents and children and discuss how parents can help their family adjust to change. The presentations also cover options for resolving family disputes, including mediation, counselling and the court process.

As of October 1, 2013, in-person PAS was replaced with online delivery only in five locations as a pilot project. The Ministry of Justice, Family Justice Services Division (FJSD), wishes to evaluate the success of online delivery of PAS compared to that of in-person PAS. In particular, FJSD is interested in the participation rates for Online Parenting After Separation (OPAS) and PAS, how participant satisfaction and learning outcomes compare for the two modes of delivery, and finally, the effectiveness of OPAS and PAS in diverting participants from court as a means to resolve separation and divorce issues.

FJSD engaged Catherine Tait Consulting to evaluate the OPAS pilot project. In the fall of 2014 a two-phase research strategy for the evaluation was developed. The first phase focussed on immediate outcomes, including participation rates, participant satisfaction and learning outcomes, and participants' intentions to use court or out of court means to resolve their disputes. A report of the first phase findings was submitted in April 2015². The second phase focussed on intermediate outcomes, including participants' actual use of courts or out of court services six to ten months after they have completed OPAS or PAS. This report presents the final results from both phases of the evaluation.

The next sections of this chapter provide further information about the PAS and OPAS models in BC, and on the evaluation objectives, methodology and data sources. Results regarding participation rates, participant satisfaction and learning outcomes, participants' use of court and non-court means to resolve their family issues and the overall impact of OPAS and PAS on court use are presented in the following chapters. The final chapter provides a summary of staff views regarding the advantages and disadvantages of the programs as well as suggestions for improvement.

¹ Until March 2013, PAS was offered in three additional sites on a voluntary basis only, and in Punjabi in the Lower Mainland only. The in-person voluntary and the Punjabi sessions were discontinued in 2013/14 but continue to be available online. Online PAS is also available Mandarin.

² "Evaluation of Online Parenting After Separation: Interim Results", Catherine Tait Consulting, submitted to Family Justice Services Division April 30, 2015.

B. About PAS and OPAS

In the 12 locations where it is offered in person, attendance at PAS is mandatory for most parents³ before they can make a first appearance in BC Provincial (Family) Court to obtain or change an order for parenting arrangements, guardianship, contact or child support⁴. A Certificate of Attendance, provided to each parent who attends PAS, can be filed at court to indicate fulfillment of the mandatory requirement.

In some circumstances parents may be exempted from attending PAS. Parties may request an exemption from an FJSD Local Manager⁵ or apply to a judge for an exemption or deferral. Where a Local Manager grants an exemption⁶, a PAS exemption form is provided, which may be filed at court to indicate that an exemption from the mandatory requirement has been granted. Judges may exempt or defer the requirement to attend PAS for parties who are seeking a protection order, or where urgent and exceptional circumstances require that a judge to hear the matter at the earliest opportunity.

Separating and divorcing parents may also attend PAS on a voluntary basis. In 2012/2013 approximately 4,800 parents in BC attended PAS on a mandatory basis and 2,500 on a voluntary basis⁷.

In 2011 Justice Education Society (JES) created an online version of PAS, which it now hosts on the familieschange.ca website. OPAS covers that same information as in-person PAS, uses the same video content, and in place of in-person discussion, incorporates interactive exercises such as quizzes for parents to complete. BC parents are able to register as students on the website, progress through the material at their own pace, and if they pass a final exam (also presented on-line) are provided with a Certificate of Attendance for OPAS. However, in locations where in-person PAS is available, parents cannot fulfill the mandatory court requirement to attend PAS by completing OPAS, *unless* they have been granted an exemption from in-person PAS and are directed to attend OPAS instead. OPAS can be taken on a voluntary basis by any parent living in BC (or elsewhere, though registration is limited to BC residents).

³ Under Rule 21 of the BC Provincial Court (Family) Rules, parents are directed to attend PAS unless they have attended PAS in the prior 24 months, are filing a consent order that resolves all child related issues, are seeking an order under the *Interjurisdictional Support Orders Act*, or where a director under the *Child, Family and Community Services Act* is a party, the application is for child support only and a party has assigned child support rights to the government, or where or a party is seeking an order for return of a child under the Hague Convention on the Civil Aspects of International Child Abduction.

⁴ One party must comply with Rule 21 before a first appearance date will be set by the court registry and both parties must comply before the first appearance at court occurs.

⁵ Under the Provincial Court (Family) Rules, FJSD Local Managers are Program Administrators for the PAS program. This gives them the ability to grant exemptions.

⁶ Parties may be exempted from attending PAS if they are not fluent in the language in which the program is offered, if they reside in a community where PAS is not offered, or if they are unable to attend PAS due to a serious medical condition.

⁷ At mandatory sites only. Another 44 parents attended PAS at 3 voluntary sites in that were in operation in 2012.

As of October 1, 2013, five locations were designated under the Provincial Court (Family) Rules as Mandatory OPAS sites. The five OPAS pilot sites are Courtney, Campbell River, Vernon, Penticton, and Kamloops⁸. Parents may fulfill the mandatory requirement to attend PAS prior to a first court appearance by completing OPAS in these locations only. Certificates of Attendance are provided to parents who complete the course and pass the final exam. The Certificates are provided online for download and are also mailed in hard copy by regular post.

C. Evaluation Objectives

The objectives of this evaluation are:

- To examine the participation rates for OPAS in the five pilot locations, compared to participation rates at the previously offered in-person sessions in those same five locations, and compared to participation rates at current in-person comparison sites.
- To examine client satisfaction with, and experience of, the online course compared to the satisfaction of clients who complete the course at comparison in-person sites.
- To examine the learning outcomes attained by online clients compared to those who attend in-person sessions.
- To examine the impact of OPAS on court use. The hypothesis is that parents who attend and complete OPAS will be less likely to use court to resolve their family justice issues (i.e. are diverted from court) than if they had not completed OPAS. A related hypothesis is that parents who complete OPAS are diverted from court at the same rate as parents who attend in-person PAS.

D. Methodology and Data Sources

To meet the evaluation objectives, OPAS and PAS participation data, client feedback and court data for the pilot OPAS sites and six comparison sites where in-person PAS continues to be offered, have been analysed. The comparison sites are: Kelowna, Prince George, Nanaimo, Abbotsford, North Vancouver and Chilliwack. Further information regarding each data source is provided below.

⁸ As of November 2, 2015 Prince George converted from in-person PAS to OPAS. This occurred after data collection for the evaluation and therefore did not impact the evaluation results.

1. PAS and OPAS Participation Data

Participation data for both OPAS at pilot sites and in-person PAS at comparison sites was analysed to assess whether participation rates differ for the two versions of the program. Data regarding the number of parents who attend in-person PAS is submitted by PAS contractors to FJSD on a regular basis. OPAS registration and completion information is collected and reported by the online system that supports OPAS. This evaluation relied on the number of people who registered for, and completed, OPAS (during any given time period) as the measure of participation for OPAS, rather than the number of people who registered for the course, as many online registrants do not actually take or complete the course. Similarly for the in-person comparison sites, the evaluation considered the number of parents who register for and actually attended the in-person course as the measure of participation.

Although OPAS was launched as pilot program in October 2013, inconsistencies in the way that participant location information was collected and recorded by the system existed until the end of October 2014. Therefore, reliable participation data for OPAS is available for the pilot sites only from November 1, 2014 onwards. Baseline participation data covers the 30 months prior to the start of the pilot project (April 2011 to September 2013). Pilot period participation data covers the period from November 1, 2014 to October 31, 2015⁹.

2. Court data

Court data from the pilot and comparison sites has been analysed to determine trends in the number of family court cases before and after the OPAS pilot began. This analysis helps to set the context for interpreting PAS and OPAS participation rates, as it is the filing of an application at family court that triggers the mandatory requirement to attend PAS. The analysis also provides direct information regarding the number of PAS certificates (and exemptions) filed to meet the mandatory requirement. As well, court data regarding Notices of Motion filed at the OPAS and comparison sites have been examined. All court data was provided by Court Services Branch, Ministry of Justice.

Court data for the baseline period consisting of the 30 months prior to the start of the pilot project (April 2011 to September 2013) was examined as well as for a 12 month pilot period, from November 1, 2014 to October 31, 2015.

⁹ This data was obtained from the OPAS system on February 13, 2015.

3. Participant feedback forms

Participant feedback data was collected to assess satisfaction with PAS and OPAS, to assess learning outcomes and to determine how participants first learned about PAS or OPAS. It was also used to assess participants' intentions to use court and/or out of court methods to resolve their separation and divorce issues. Participant feedback data was obtained for OPAS and comparison sites for the 14 week period from November 1, 2014 to February 6, 2015¹⁰ using a participant feedback form adapted for this evaluation.

Online and in-person versions of the form were created that differed only in the wording of a few questions to make them appropriate for an online versus or an in-person style of delivery. For example, the online version of the form asks participants to rate how easy it was to take the course online, while the in-person version asks participants to rate the convenience of the time and location where the PAS session was offered. To prepare for a follow-up participant survey in the second phase of this evaluation, the in-person version of the feedback form provided a place for participants to provide their email address should they wish to participate in the survey¹¹. Both versions of the feedback form are included in the Appendix.

OPAS participants completed the feedback form online after they completed the course and final exam. Completion of the feedback form is required in order for the participant to receive a Certificate of Attendance. Participants at in-person PAS sessions were given the form to complete by the PAS facilitator, who collected the forms at the end of each session. The hard copy forms were then forwarded to the evaluator for data entry. Completion of the feedback forms at the in-person sessions was voluntary.

4. Follow-up survey

A short follow-up survey of OPAS and PAS participants was conducted 7 to 10 months after they completed the course. The purpose of the survey was to determine what had transpired in the participants' family law cases in the intervening time after they took PAS or OPAS, what they intended to do to address any still unresolved issues, and whether PAS or OPAS had influenced them to try mediation or go to court to resolve their issues.

The survey was conducted online for all OPAS participants. An online survey was also made available for PAS participants who had provided an email address for this purpose on their

¹⁰ OPAS feedback data was drawn from feedback forms completed during this period by pilot site participants, regardless of when the participants completed the course. In general, participants write the final exam, complete the feedback form and obtain a Certificate of Attendance within a short period of time.

¹¹ Email addresses for OPAS participants are collected as part of the registration process.

session feedback form. However, because a limited number of PAS participants provided an email address, the follow-up survey was also deployed by telephone to increase the number of responses for this group. Although there is some overlap between those who completed a participant feedback form and those who completed the follow up survey, the degree of overlap has not been estimated¹². Both the OPAS and PAS surveys had 70 completed responses. Exhibit 1.1 provides information regarding the response rates for both the online and telephone surveys.

Exhibit 1.1
Follow-up Survey Response Rates

	Participants Sent	Completed	Response
Online Survey	Survey Invitations	Responses	Rate
Online PAS	202	70	35%
In-person PAS	98	47	48%
Telephone Survey for In-person PAS	Participants Called	Completed Responses	Response Rate
All calls*	102	23	23%
Total both surveys	402	140	35%
* Includes answered calls, out of service numbers, wrong numbers, answered by voicemail and busy signals. Thirty-one calls were answered by a PAS participant.			

5. Staff interviews

Telephone interviews were conducted with court registry staff in OPAS and comparison PAS sites to confirm the processes followed in the registries, and to obtain staff views regarding the program, clients' ability to access the program and the advantages and disadvantages of both program formats. A total of 11 interviews were conducted.

FJSD local managers at OPAS and PAS comparison sites were also interviewed by telephone. Local managers administer exemptions from PAS and OPAS and provided insights regarding why

¹² Participant feedback data for in-person PAS participants who completed the follow-up survey by telephone are not included in the participant feedback results reported in Chapters 3 and 4. The methodology for obtaining the OPAS participant feedback information (creating summary reports from a database) does not allow the identification of feedback provided by individual participants; therefore determining which OPAS participants completed both the participant feedback forms and the follow up survey is not possible.

some clients may have difficulties accessing the program. They also offered views regarding the advantages and disadvantages of both the in-person and online versions of the program. Six¹³ local managers participated in the interviews.

6. Summary of Time Periods for Data Sources

Exhibit 1.2 presents a summary of the date ranges for each type of data.

Exhibit 1.2

Data Source Time Periods

Data Source	Period
PAS and OPAS Participation Data	
In-person PAS baseline	April 1, 2011 - September 30, 2013
OPAS pilot period	November 1, 2014 - October 31, 2015
In-person PAS pilot period	November 1, 2014 - October 31, 2015
Court Data	
Baseline	April 1, 2011 - September 30, 2013
Pilot Period	November 1, 2014 - October 31, 2015
Participant Feedback Data Collection Periods	
OPAS pilot	November 1, 2014 - January 31, 2015
In-person comparison sites	November 1, 2014 - January 31, 2015
Follow-up Survey Collection Periods	
OPAS pilot	June 5, 2015 - November 20, 2015
In-person comparison sites	June 5, 2015 - December 14, 2015

E. Presentation of Evaluation Results

Results regarding participation rates are provided in Chapter Two, and Chapter Three provides results regarding participant satisfaction and learning outcomes. Chapter Four examines participants' use of court and non-court means to resolve their family issues after taking the course and the overall impact of OPAS and PAS on court use. The final chapter provides a summary of staff views regarding the advantages and disadvantages of the programs as well as suggestions for improvement.

¹³ Four local managers oversee more than one of the OPAS and/or PAS comparison sites.

Chapter Two: Participation Rates for OPAS and PAS

This chapter examines participation rates for in-person PAS and OPAS during the baseline and pilot periods. To set the context for understanding participation rates, the chapter begins by looking at trends in the number of family court cases and filed PAS certificates and exemptions during the baseline and pilot periods. It then presents information and analysis regarding participation rates for in-person PAS and OPAS for both periods. The chapter also presents information on factors that may impact participation rates including how participants heard about PAS and OPAS, and staff views regarding the awareness of, and compliance with, PAS requirements in family court, and the accessibility of PAS and OPAS. The chapter also includes an examination of the use of Notices of Motion in family court.

A. Baseline and Pilot Periods

Prior to start of OPAS pilot project in October 2013, in-person PAS sessions were offered on a regular basis at all future pilot and comparison sites. As of October 1, 2013 in-person sessions were discontinued at the pilot sites and OPAS was provided in its place. In-person PAS sessions have continued at the comparison sites¹⁴.

The 30 month period, from April 1, 2011 to September 30, 2013, when both the pilot sites and the comparison sites were providing in-person PAS sessions is the baseline period for the analysis of court data and participation rates. Because registration and completion data for OPAS only became reliable in November 2014, the pilot period for this analysis is from November 1, 2014 to October 31, 2015.

B. Court Cases and PAS Compliance Documents

Overall, the monthly volume of court applications that trigger the requirement for parents to attend PAS or OPAS decreased from the baseline to the pilot period. The filing of an application at Provincial (Family) Court is the event that triggers the requirement to attend a PAS course for those cases that fit the criteria set out in the Rule 21 of the court rules. The application may be the initiating application,

¹⁴ In-person PAS ended in Prince George on November 1, 2015 and the site converted to online PAS. This conversion occurred after the pilot period examined in this evaluation.

which starts a new court case, or it may be a subsequent application, filed in an on-going court case¹⁵. Data from baseline and pilot periods indicates that the number of new and subsequent applications decreased at both the pilot (-11%) and comparison sites (-8%). Exhibit 2.1 illustrates how the number of applications filed per month decreased at each pilot and comparison site. Decreases were evident at all sites except Kamloops.

Exhibit 2.1

New Family Court Cases and Subsequent Applications per Month

	New Cases & Subsequent Applications		% Change
	Baseline Period	Pilot Period	
Pilot sites			
Campbell River Law Courts	43	34	
Courtenay Law Courts	55	51	
Kamloops Law Courts	124	124	
Penticton Law Courts	64	47	
Vernon Law Courts	<u>63</u>	<u>55</u>	
Total Pilot Sites	349	311	-11%
Comparison sites			
Abbotsford Provincial Court	157	146	
Chilliwack Law Courts	104	97	
Kelowna Law Courts	139	137	
Nanaimo Law Courts	139	119	
North Vancouver Provincial Court	88	73	
Prince George Law Courts	<u>124</u>	<u>118</u>	
Total Comparison Sites	750	690	-8%

In order to demonstrate compliance with the PAS requirement set out in the Provincial Court (Family) Rules, parents need to file either a PAS Certificate, to show that they have completed the course, or a PAS Exemption form. As with family court cases in general, the number of compliance documents filed at court decreased from the baseline to the pilot period.

¹⁵ If a party has attended PAS in the previous 24 months they are exempted from the requirement to attend PAS again. Consequently subsequent applications filed within two years of the original application are unlikely to trigger the requirement again, so long as the parties have already filed PAS attendance certificates. Subsequent applications filed 24 months or longer after the parties attended PAS would trigger the requirement again.

Exhibit 2.2 presents the average monthly number of PAS certificates and exemptions filed at the OPAS pilot sites and the in-person PAS comparison sites, during the baseline and pilot periods. The number of PAS certificates filed decreased by 15% for OPAS group and but only 3% for comparison sites. The number of exemption forms filed decreased much more markedly – by 43% for OPAS and 27% for comparison sites.

Exhibit 2.2

PAS Certificates and Exemptions filed per Month

	PAS Certificates			PAS Exemptions		
	Baseline Period	Pilot Period	% Change	Baseline Period	Pilot Period	% Change
Pilot sites						
Campbell River Law Courts	10	7		1	0	
Courtenay Law Courts	10	9		1	0	
Kamloops Law Courts	18	21		7	4	
Penticton Law Courts	13	7		2	0	
Vernon Law Courts	<u>16</u>	<u>13</u>		<u>2</u>	<u>2</u>	
Total Pilot Sites	66	56	-15%	12	7	-43%
Comparison sites						
Abbotsford Provincial Court	36	32		2	2	
Chilliwack Law Courts	19	19		0	1	
Kelowna Law Courts	24	25		2	2	
Nanaimo Law Courts	24	22		2	0	
North Vancouver Provincial Court	9	11		1	1	
Prince George Law Courts	<u>15</u>	<u>15</u>		<u>5</u>	<u>2</u>	
Total Comparison Sites	128	124	-3%	12	9	-27%

The decrease in filed exemption forms at comparison sites is consistent with feedback from FJSD Local Managers who indicated that they are now much less likely to grant PAS exemptions for parents who live where in-person PAS is not available, and direct them to take online PAS instead.

The decrease in filed exemption forms at pilot sites may also be due to the greater availability of OPAS for parents who live outside the pilot communities. During the baseline period when in-person PAS was offered in these sites, parents who lived outside the communities may have been given an exemption from attending PAS, but now they are able to access OPAS online and therefore do not require an exemption.

Because parents are required to file either a PAS/OPAS certificate or an exemption form, we would expect that the overall combined number of these compliance documents filed per court case¹⁶ would remain the same from the baseline to the pilot period. While true for comparison sites, this was not the case for pilot sites. Per 100 court cases, the total number of PAS compliance documents filed per month at comparison sites increased just slightly (3%) from 18.7 in the baseline period to 19.4¹⁷ in the pilot period. In contrast, at OPAS sites the number of PAS compliance documents filed per 100 court cases decreased by 10%, from a baseline rate of 22.5 to 20.3 during the pilot period (see Exhibit 2.3)¹⁸.

Exhibit 2.3

PAS Compliance Documents filed per 100 Court Cases

	PAS Compliance Documents Filed per 100 Court Cases		
	Baseline Period	Pilot Period	% change
Pilot sites			
Campbell River Law Courts	24.3	21.1	
Courtenay Law Courts	18.9	17.0	
Kamloops Law Courts	20.4	20.2	
Penticton Law Courts	23.6	16.0	
Vernon Law Courts	27.3	26.7	
All Pilot Sites	22.5	20.3	-10%
Comparison sites			
Abbotsford Provincial Court	24.5	23.4	
Chilliwack Law Courts	19.2	20.6	
Kelowna Law Courts	18.7	20.0	
Nanaimo Law Courts	18.7	19.0	
North Vancouver Provincial Court	10.8	17.2	
Prince George Law Courts	16.6	14.3	
All Comparison Sites	18.7	19.4	3%

¹⁶ Court case is defined as new court cases plus subsequent applications.

¹⁷ Technically, both parties to a case are required to file a certificate or an exemption before a first appearance at court. Staff interviewed for the evaluation indicate that some court appearances proceed when only one party has filed a Certificate of Attendance or exemption. Furthermore, because not all family cases meet the criteria that require PAS attendance, the number of PAS compliance documents per court case will be below two.

¹⁸ The data used in this analysis does not include any exemptions that may have been provided by judges.

C. Participation Rates for In-person PAS and OPAS

The previous section examined data from courts that relate to PAS and OPAS – the number of court cases that drive participation in these programs, as well as the numbers of compliance documents filed by parents that indicate compliance with the Court rules. This section looks at the actual numbers of people completing in-person PAS and OPAS during the baseline and pilot periods. Court and participation data differ in one key aspect: court data relate only to people who are involved in the court process but PAS and OPAS data also include people who take these courses on a voluntary basis. This section considers the number of people who actually attended in-person PAS or completed OPAS, regardless of whether they were involved in a court case or not. However, the connection to court is still important to understanding the completion rates and results.

Exhibit 2.4 presents the number of completions per month at the pilot and comparison sites during the baseline and pilot periods. During the baseline period, the comparison sites had a combined average monthly attendance of 202 compared to 110 at the pilot sites. The difference is due to the fact that there are six comparison sites and only five pilot sites and because comparison site communities have larger populations than those of the pilot sites. The baseline difference in the number of completions is not a reflection of differences in performance between these two groups of sites.

As Exhibit 2.4 shows, the raw number of people who completed OPAS per month at the pilot sites¹⁹ during the pilot period was considerably lower (-36%) than those who completed in-person PAS in these same locations during the baseline. While the in-person sites also had decreased numbers of participants, the decrease from the baseline to the pilot period at these sites (-14%) was substantially smaller than that seen in the OPAS sites.

¹⁹ Registrants in OPAS were considered to be participating in the OPAS pilot if they identified that they resided in, or were a party to an action in a provincial court registry located in, one of the pilot communities.

Exhibit 2.4**PAS and OPAS Completions per Month**

	PAS and OPAS Completions		
	Baseline Period	Pilot Period	% change
Pilot sites			
Campbell River Law Courts	16	8	
Courtenay Law Courts	17	10	
Kamloops Law Courts	31	30	
Penticton Law Courts	19	9	
Vernon Law Courts	<u>27</u>	<u>15</u>	
Total Pilot Sites	110	71	-36%
Comparison sites			
Abbotsford Provincial Court	46	42	
Chilliwack Law Courts	30	26	
Kelowna Law Courts	42	37	
Nanaimo Law Courts	40	36	
North Vancouver Provincial Court	20	14	
Prince George Law Courts	<u>25</u>	<u>19</u>	
Total Comparison Sites	202	173	-14%

This result leads to two questions: Why have the number of people completing PAS and OPAS decreased, and why are the decreases at the OPAS sites so much greater than at the in-person sites? These differences can be explained, in part, by a number of factors discussed below: comparison site residents completing OPAS rather than attending in-person PAS; decreasing court cases; greater drop off between registration and completion for OPAS; and probably, lower rates of voluntary participation at OPAS sites. This section concludes with comments about the improving trend in completion rates for OPAS.

1. Residents of comparison sites who completed OPAS

The analyses undertaken for this evaluation have focussed on OPAS and in-person PAS as distinct programs operating at different sites. There have been, however, a number of people registering for and completing OPAS on a voluntary basis who reside in comparison site communities. OPAS data by community indicates that an average of 4.0 people per month, who

reside in comparison site communities, completed OPAS on a voluntary basis during the pilot period²⁰. These additional four completions per month account for about 2% of the decrease in PAS completions from the baseline to pilot periods seen at the in-person sites. That is, had these individuals attended in-person PAS instead of completing OPAS, the decrease in PAS completions at the comparison sites would have been 12%, not the 14% shown in Exhibit 2.4. Thus, this factor explains a small portion of the decreased PAS completions seen at the comparison sites.

2. Decreased court cases

The mandatory requirement for at least one party to complete PAS and OPAS before a first court appearance date will be set drives many registrations for these programs. As the number of court cases drops, it is reasonable to expect a corresponding decrease in the number of PAS and OPAS completions. Controlling for decreased court activity does, in fact, partially explain some of the decreased PAS and OPAS completions. As shown in Exhibit 2.5, for every 100 court cases, completions decreased by only 7% for in-person PAS and 28% for OPAS, from the baseline to the pilot period. These decreases are less than those seen for the raw number of completions alone shown in Exhibit 2.4 (-14% and -36% respectively).

Thus decreased court activity explains some of the overall drop in participation, and once court activity is taken into account pilot period completions for OPAS sites and comparisons are quite similar (22.9 and 25.1 completions per 100 court cases respectively).

However, decreased court activity does not explain the marked difference between the decreased completions seen at the comparison and pilot sites from the baseline to the pilot period (-7% versus -28%).

²⁰ These completions are not included in the data reported for the OPAS sites themselves

Exhibit 2.5**PAS and OPAS Completions per 100 Court Cases**

	PAS and OPAS Completions per 100 Court Cases		
	Baseline Period	Pilot Period	% change
Pilot sites			
Campbell River Law Courts	36.4	23.6	
Courtenay Law Courts	31.1	19.1	
Kamloops Law Courts	25.0	23.7	
Penticton Law Courts	30.5	19.2	
Vernon Law Courts	43.1	27.1	
All Pilot Sites	31.7	22.9	-28%
Comparison sites			
Abbotsford Provincial Court	29.2	28.7	
Chilliwack Law Courts	29.2	26.6	
Kelowna Law Courts	30.3	26.6	
Nanaimo Law Courts	28.8	29.9	
North Vancouver Provincial Court	22.4	19.5	
Prince George Law Courts	19.8	16.4	
All Comparison Sites	27.0	25.1	-7%

3. Drop off between registration and completion

Part of the difference between the completion rates seen at OPAS pilot sites and PAS comparison sites is due to a greater drop off among OPAS participants between registering for the course and completing it. To complete the in-person PAS and receive a Certificate, a participant must register for an in-person session, and then attend the session for the full three hours. To complete OPAS and receive a Certificate, a participant must register for the online course, and then must visit 90% of the OPAS webpages and write the final exam, with a passing score of at least 70%.

Both in-person PAS and OPAS have more people registering for course than completing it. During the pilot period, 84% of those who registered for in-person PAS at the comparison sites actually attended and completed the program, giving a no show, or drop off, rate of 16%.

However, OPAS data for the same period indicates that only 57% of those who registered for OPAS actually completed it (drop off rate of 43%).

Participants may take days, weeks or even months to complete the online course. While some of those who registered late in the pilot period may have completed the course after the pilot period ended, it is unlikely that the number of late finishers would close the gap between the 16% drop off rate for in-person PAS and the 43% drop off rate seen at the OPAS pilot sites.

It is possible that people who register for OPAS but who do not need a Certificate of Attendance for court might stop short of completing all the tasks needed to officially “complete” the course. In other words, considering only those who receive a Certificate of Attendance might understate the number of people who benefit from OPAS.

To assess the extent to which the non-finishers benefitted from exposure to OPAS, we examined course progress information that was recorded by the OPAS system for participants who registered during the pilot period. This data indicates that among those who did not receive a Certificate of Attendance, almost half (45%) had no course progress at all (they had not visited any course webpages) and average progress for those who did visit some of the course webpages was 28%. Thus, it seems that just over half of the “non-finishers” had, on average, a limited exposure to the OPAS course and the remainder had no exposure. This may be due in part to situations where some people register on the OPAS site, return to it at a later date but can’t remember the original email address and/or password that they used to register, and then re-register with a new email address, in effect, abandoning their original registration.

4. Decreased voluntary completions at OPAS pilot sites

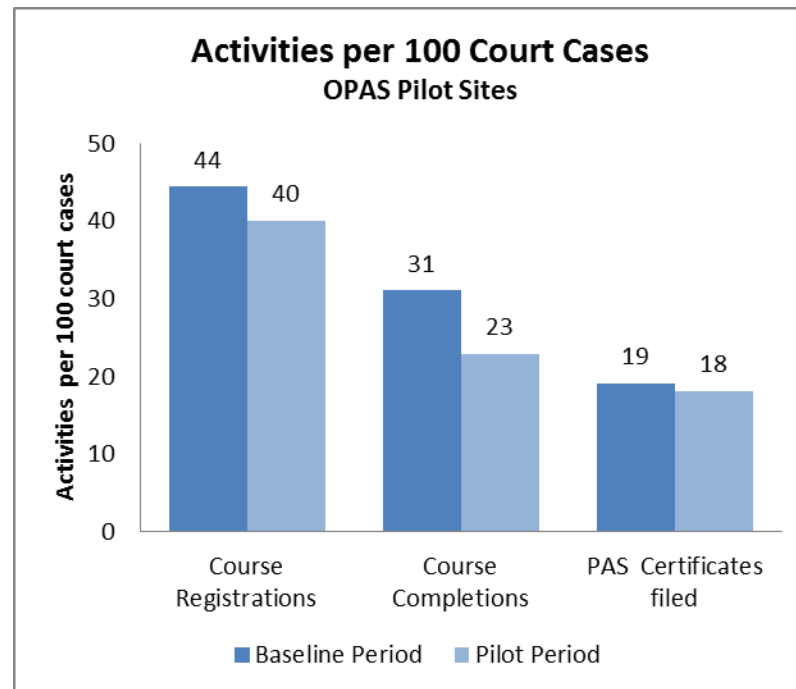
Indirect evidence suggests that the proportion of people who complete OPAS on a voluntary basis has decreased substantially from the baseline period. By “voluntary” we mean that the participant is not taking the course to obtain a PAS certificate to file at court.

Data anomalies regarding the collection of “mandatory” and “voluntary” registration information²¹ prevent a direct analysis of why people are registering for the course. However, results regarding registrations, completions and PAS certificates filed at court suggest that most of those who complete OPAS are in fact, mandatory rather than voluntary registrants. Exhibit 2.6 shows the number of OPAS pilot site activities (registrations, completions and certificates filed) that occurred for every 100 court cases, for both the baseline and pilot periods.

²¹ During the baseline period, data recorded in one comparison site regarding mandatory vs. voluntary participants was unreliable. During the pilot period, the registration system for the online OPAS course categorizes everyone who registers for OPAS who has a court action in a pilot community, or *who resides in a pilot community*, as “mandatory”. Thus virtually all OPAS participants from pilot sites are counted as “mandatory” regardless of whether or not they are taking the course to meet a court requirement of not.

Exhibit 2.5

OPAS Activities per 100 Court Cases, Baseline and Pilot Periods



As this chart shows, at the OPAS sites the number of course completions (23) and certificates filed (18) during the pilot period are fairly similar suggesting that most (18 out of 23, or 79%) of those who completed OPAS went on to file a certificate at court. In contrast, this data suggests that during the baseline period only 61% (19 out of 31) of those who completed PAS in these sites filed a certificate in court. While we cannot say for certain that those who completed the course but did not file a certificate at court took the course on a voluntary basis, this data suggest that 39% of baseline participants at pilot sites *may have been* voluntary compared to only 21% during the pilot period.

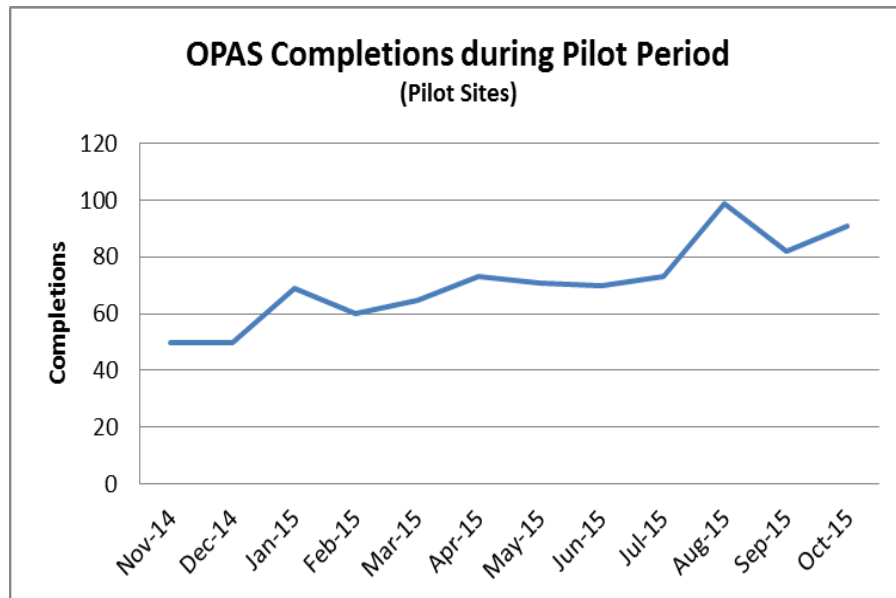
5. Improving completion rate for OPAS sites

Despite the relatively high drop off between registration and completion among OPAS participants during the pilot period, there are indications that the OPAS completion rate is improving. Monthly results show a fairly steady increase in the number of completions at pilot

sites during the 12 month pilot period (see Exhibit 2.6) with completions rising from 50 in November 2014 to 91 in October 2015²².

Exhibit 2.6

Pilot Site Completions by Month during the Pilot Period



The proportion of those registering who go on to complete OPAS also increased during the pilot period, though not as quickly as the raw number of completions. Forty-nine percent of those who registered in the first month of the pilot period (November 2014) completed OPAS within 90 days; this increased to 58% for those who registered in the final month (October 2015).

Both these trends suggest that the difference between PAS and OPAS participation rates may be narrowing.

To gain a fuller understanding of why PAS and OPAS have different registration and completion rates three additional data sources were reviewed: client feedback regarding where the participant had heard about the program, staff interviews and court data regarding the use of Notices of Motion.

²² In-person PAS completions do not show the same increasing trend. Completions were virtually the same in November 2014 (194) and in October 2015 (199).

D. How Participants heard about PAS and OPAS

In order to participate in PAS or OPAS separating and divorcing parents need to know that the course exists. The feedback form asks participants to identify how they heard about the course. Exhibit 2.7 presents results for participants in OPAS and in-person PAS for the November 1, 2014 and February 6, 2015²³ period.

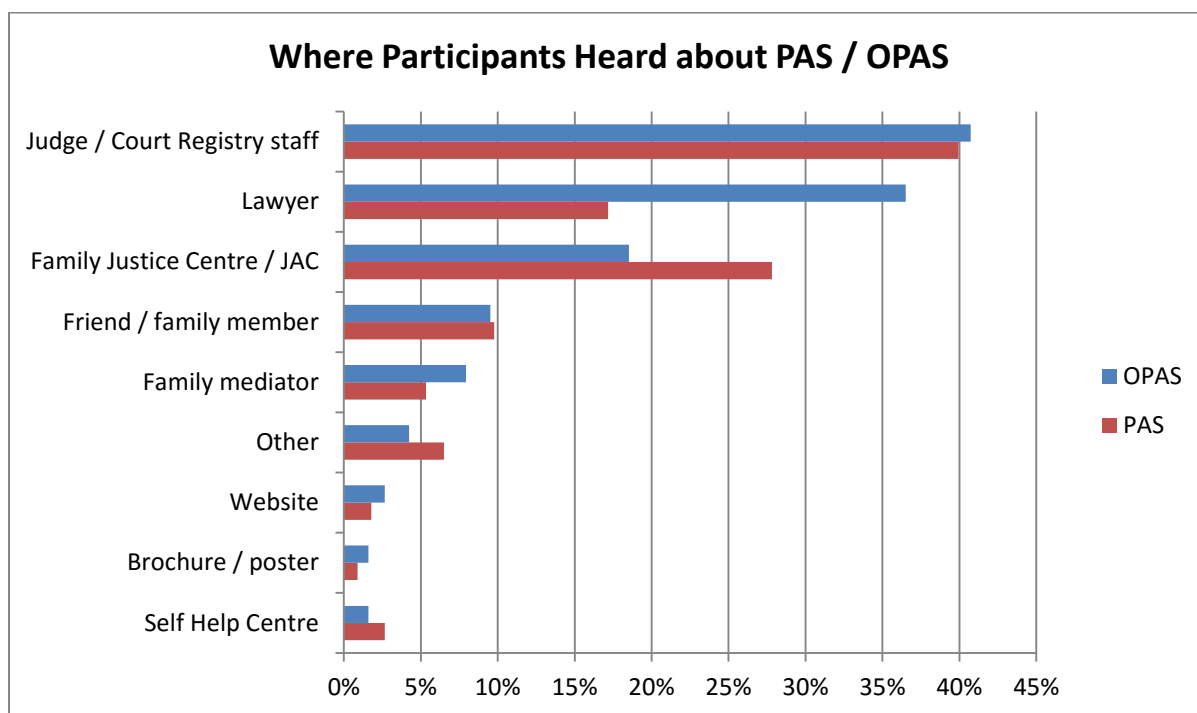
The three most common ways that participants heard about OPAS and PAS were the same: from a judge or court registry, from a lawyer, or from a Family Justice Centre or Justice Access Centre (JAC). However, OPAS participants were more than twice as likely to have heard about the course from a lawyer than PAS participants were, while the PAS participants were a third more likely to have heard about the program from a Family Justice Centre or Justice Access Centre. This may have been due, in part, to longer wait times to see a Family Justice Counsellor (FJC) at the OPAS sites than at the comparison sites; during 2014/2015, the average wait to see an FJC at OPAS sites was 3.3 weeks compared to 2.2 weeks at the comparison sites. OPAS and PAS participants reported hearing about the course from other sources in roughly the same proportion.

The limitation of this data is that it was provided by clients who actually took the program. It does not include information from potential clients who may have heard about OPAS or PAS but did not take the course; nor does it shed light on why such individuals did not take the course.

²³ 189 OPAS participants completed this question, as did 338 in-person PAS participants at the comparison sites. Percentages sum to more than 100% as more than one response is permitted for this item on both the paper and online versions of the feedback form.

Exhibit 2.6

Where Participants Heard about OPAS and PAS



E. Staff interviews regarding registration and completion rates

Interviews completed with court registry staff and FJSD local managers included questions regarding factors that could influence participation in in-person PAS or OPAS, as well as staff views about trends observed in the participation rates. Eleven court staff, five from OPAS locations and six from comparison locations were interviewed. Six Local Managers were interviewed, three of whom supervise more than one location.

1. Awareness of requirement

Registry staff indicated that only a small proportion of people are aware of the requirement to complete PAS or OPAS when they first file an application at the court registry. Some may be aware because they have heard about it through word of mouth or through talking to duty counsel. Returning parties are aware of the requirement, but the proportion of total applicants that returning parties represent varies from place to place (estimates ranging was from virtually none to about 40%).

Nearly all registry staff interviewed said that they have a pamphlet or a 1 to 3 page handout that they provide to parties when they file an application that explains the requirement to complete PAS. Most staff interviewed also review the requirements verbally with parties who come to the counter. In one OPAS site staff have created a detailed instruction sheet, with screen shots from the OPAS website, that outlines the correct steps to register for OPAS.

FJSD Local Managers confirmed that their staff inform clients involved in court of the requirement to complete PAS or OPAS, and recommend the program to other clients who have not started a court action.

2. Processes to ensure compliance with requirement

a. Court Registry processes

Registry staff are responsible for accepting PAS and OPAS certificates and exemption forms filed by parties, and ensuring that at least one party has met the PAS requirement (and that other procedural requirements) prior to setting a first appearance date for a case. Staff were asked the proportion of cases that proceed to a first appearance where one, two or neither party had completed the PAS requirement. Cases that are initiated by a Notice of Motion can proceed with neither party having taken PAS (see discussion below). For cases initiated by an application, where PAS attendance by at least one party is required, staff in three registries (one OPAS, two PAS) estimated that in a majority or nearly all cases only one party had attended PAS prior to a first appearance. Staff in two registries²⁴, one PAS and one OPAS, estimated that in 50% of the cases one party had attended, and in 50% both parties had attended.

When a PAS certificate or exemption form is filed, registry staff attach it to the case file, set a court date and notify the parties of the date. Some registries have an additional step to note which parties have and have not completed PAS or OPAS in the case file so that the judge will have this information when the parties appear in court. Two registries, one OPAS and one in-person PAS, put this information on coloured paper so that it can be found quickly in the file.

Registry staff were also asked if judges confirm that parties have taken PAS, and what they do when a party has not taken the program. Some registry staff reported that some or all of their resident judges²⁵ advise or order parties who have not taken PAS to complete the course, with some variability from judge to judge. However, in other registries staff report

²⁴ Staff at some registries were unable to provide an estimate.

²⁵ Non-resident judges may be less likely to be aware that the PAS requirement applies in a given registry and therefore less likely to require parties to attend.

that judges rarely, or only occasionally, order parties to complete the program; this was more common in the in-person PAS registries than the OPAS registries. Some judges remind, rather than order, parties to take the program. Under the Court Rules judges also have the ability to grant exemptions from Rule 21, upon application by a party. Staff did not comment on the extent to which formal exemptions are granted by judges.

b. Exemptions granted by FJSD Local Managers

When parties feel that they are unable to take PAS or OPAS, they are directed by registry staff (and hand out information) to a Local Manager for FJSD who considers whether to grant them an exemption. Local Managers interviewed for the evaluation indicated that since the start of OPAS, they can and do exempt some parties from the requirement to attend in-person PAS and direct them to take the online course instead. These exemptions and redirections to OPAS might be made: when a party's work schedule conflicts with in-person session; for shift workers; for parties who are working or living out of town; for parties who would lose pay to take in-person PAS during their working hours; and for nursing mothers²⁶. Local Managers indicated that they made such exemptions regularly, but not in high numbers, with estimates ranging from one to six exemptions per month. A few Local Managers commented that they appreciated having the ability to offer online PAS rather than exempting a client from requirement altogether because the client still takes the course but in a way that fits better with their circumstances. Data from the OPAS system indicates that 51 people who reside in comparison site communities completed OPAS as an exemption from in-person PAS, during the November 2014 to October 2015 pilot period.

Local Managers also indicated that there are circumstances when they exempt parties from PAS and OPAS altogether, for example, when the party doesn't read or speak English or when mental health issues prevent completion of the course. Local Managers may also grant an outright exemption for certain types of cases, for example when the parties' only issue is child support and/or arrears and children are now adults. Local Managers will also exempt parties from OPAS if the parties have literacy issues, or in rare situations where they cannot access a computer or the internet (see below). Local Managers indicated that they provide anywhere from zero to three outright exemptions from PAS or OPAS per month.

3. Accessibility of PAS and OPAS

To assess the ability of parents to access PAS and OPAS, registry staff and FJSD Local Managers at in-person PAS locations were asked whether they received feedback from parents about the

²⁶ One local manager also indicated that she had directed parties to OPAS when a backlog developed at local in-person sessions due to a temporary space issue.

location and frequency of the PAS sessions. Staff at OPAS sites were asked whether parents have access to computers and the internet, and have the computer skills needed to take the online course. Both were asked whether parties commented on the ease or difficulty of registering for the program.

a. Accessibility of in-person PAS

Staff were asked to comment on the accessibility of the PAS location and any difficulty that clients had in getting into sessions.

Staff at two out of six in-person PAS court registries reported no problems with the location of the in-person program; however, other registries noted that attending the program was difficult for parents who do not live in the community where it is offered. One noted parents' concerns about the need to arrange for childcare. One site reported that parties had difficulties receiving calls back from the PAS provider. Two noted that parties were experiencing delays to get into a session (one site reported a six week wait).

FJSD Local Managers at in-person sites feel that PAS sessions are fairly accessible for people who live in the communities where they are offered but agree that the accessing in-person PAS is difficult for parents who live or work outside the community. Some Local Managers direct parents in these circumstances to complete the program online (i.e., OPAS) rather than exempting them from the requirement altogether. In the Lower Mainland however, PAS is offered in a number of locations and at different times of day, so that parents can sometimes attend a course close to where they work if there are no sessions at a convenient time near where they live. Local Managers at in-person sites indicated that the availability of sessions relative to demand sometimes means a delay of a few weeks to get into a session. One Local Manager sometimes works with the PAS provider in her area to find a way to fit clients into earlier sessions if they are particularly anxious to attend a session in a short time frame.

b. Accessibility of OPAS

Staff were asked to comment on the extent to which parents have the computer equipment, internet access and skills to access the OPAS program online and about any registration issues that clients have experienced.

Staff at two OPAS court registries commented that grandparents applying for guardianship sometimes complained that they lacked a computer, internet access and / or computer skills needed to take an online course. One had received comments that some parties lack a

printer to print the certificate²⁷. One registry suggests to parties with computer challenges that they may avoid taking the course online by attending an in-person session in community about an hour away. Two commented that such issues were uncommon at their registries and that parties without a home computer can access the program on a computer at a public library. Some noted that clients with low literacy levels or learning disabilities may find an online course challenging.

Registry staff at OPAS sites report that earlier registration problems²⁸ with the online program diminished once changes were made to the website and the hand-outs given to parents were changed to provide the correct information about how to register online.

Staff at three of the five OPAS registries recalled that there had been waits of 2 weeks to a month for parties to get into a PAS session when the program had been offered in person in their communities (prior to the OPAS pilot project). In fact, one registry responded to these delays by setting court dates for parties who had not yet taken PAS if they could demonstrate that they were registered for a future session. This practice has ended since the online program was introduced for this location. One registry noted that parties are much faster to file their PAS certificates (a couple of days is not uncommon) since the program has been available online rather than in person.

FJSD Local Managers at OPAS sites indicated that a very limited number of clients have difficulty accessing OPAS due to the lack of a computer or limited internet service where they live. Rural communities in some parts of the province have only dial-up internet access and some northern communities and many First Nations reserves lack internet access altogether. Workers living in camps have no computers or internet access. Local Managers do refer clients without a computer to take the course on a library computer if that is an option locally, though in at least one location the library has a one hour limit on computer use. Two Local Managers noted that clients are sometimes better equipped to take the course on a mobile device rather than on a computer, and this option just became available in January 2016.

Local Managers commented that clients who lack of computer skills are relatively rare, though they will exempt clients who do not speak English or have difficulty navigating the OPAS site in English (see above).

²⁷ A copy of the certificate is also mailed to the client.

²⁸ The original registration screens on the OPAS site were somewhat unclear with the result that some registrants registered as voluntary participants when they actually needed a Certificate of Attendance that would be accepted by courts (i.e. they were taking the course to fulfill the mandatory requirement but the OPAS system classified them as voluntary participants). OPAS staff were able to manually correct these issues if they were notified of a problem. In October 2014 the registration screens were modified to greatly increase the likelihood that a party would register as a mandatory participant if they required a Certificate of Attendance for court.

FJSD Local Managers confirm the registry staffs' view that registration problems with the online program have decreased significantly but that the online course can still present difficulties for low literacy clients.

4. Observations regarding trends in registrations and completions

Court staff were asked if they had noticed any recent increases or decreases in the number of parties filing PAS certificates or exemptions in their registries.

Staff at five out of six comparison site registries (where PAS continues to be offered in person) indicated that the numbers of certificates and exemptions filed has been consistent. One felt that there had been a slight decrease in the last year, but did not know the cause.

Four OPAS registries had not noticed changes in the number of certificates filed but two commented that fewer exemptions are being filed, perhaps because parties who live out of town, or in outlying communities, are now able to access the program online and are no longer given exemptions from the requirement.

Registry staff at OPAS locations were also asked about possible explanations for the drop in PAS registrations and completions since OPAS had been introduced. Staff at one registry suggested that the drop may have occurred because some people don't want to do an online course and have stopped their court process altogether. Another suggested that there may have been an increase in number of repeat clients (filing subsequent rather than original court applications) who were put off by the need to repeat PAS. Staff at another registry suggested that the self-directed nature of an online course, which can be taken any time, led to greater procrastination and fewer actual completions of the program than when people had to sign up for a session and attend in person at a given date and time.

FJSD Local Managers were also asked to provide insights regarding the drop in program registrations and completions since the OPAS pilot began. One Local Manager noted that in two OPAS sites, the agencies that had provided in-person PAS prior to the pilot project had been very well connected in their communities and had received many referrals from other agencies for clients who had not yet started a court action. She feels that the awareness of the online program among community agencies is much lower and that there may be some skepticism about the product, leading to fewer referrals to OPAS. Another commented that in-person PAS had attracted a relatively high number of voluntary clients (those not attending to fulfill the court requirement) and perhaps voluntary participation in OPAS is not as high. The third Local Manager echoed the views of one of the registry staff – that because the online course is self-paced, clients need to motivate themselves to complete it, which can be difficult to do at a stressful time in their lives.

Two Local Managers at in-person PAS sites commented that family court applications have decreased in many locations and perhaps more people are choosing to avoid court processes. Another commented that some judges are not requiring parties to attend PAS.

F. Use of Notices of Motion

Registry staff at both pilot and comparison sites were asked what proportion of court cases have a first appearance set where one, both or none of the parties had attended PAS or OPAS. Somewhat surprisingly, a number commented that a fairly noticeable proportion of the cases proceeded by Notice of Motion and in these cases, neither party had completed PAS prior to a first appearance.

Parents who are seeking resolution of their separation and divorce issues may file an application at provincial court to obtain a court order. As outlined above, when the application is filed at a court where Rule 21 of the Provincial Court (Family) Rules applies, at least one party to the application must fulfill the requirement to complete PAS or OPAS before registry staff will set a first appearance date for the case. However, parents may also obtain a first appearance date by proceeding by way of Notice of Motion rather than by application. Notices of Motion are not subject to the requirements of Rule 21, and litigants are not required to complete PAS or OPAS before their first appearance at court on a Notice of Motion.

Notices of Motion are meant to be used only in limited circumstances. Notices of Motion are often used in emergency situations to get a matter before the court quickly, such as when parties are seeking protection orders. These are often heard *ex parte* (with only one party in attendance) where the judge chooses to may exempt the applicant from PAS²⁹, and the second party may not know about the appearance or any referral to PAS that might be made. (In some registries, urgent matters are heard by *ex parte* application, and exemptions to PAS are given, without the use of a Notice of Motion.) Notices of Motion may also be used to get an earlier court date (“short leave”) where a parent is seeking a quick court decision on a limited issue, for example regarding parenting time over an up-coming holiday period. Registry staff note that Notices of Motion are used most often by parties represented by legal counsel, though at least one registry staff person noted an increase in their use by self-represented litigants as well.

It is still possible that parties who proceed by way of Notice of Motion could be required to take PAS or OPAS. Once the Notice of Motion issue has been addressed by the court, the judge may require litigants to pursue other issues by way of a regular court application (which would be subject to the PAS requirement), or may require litigants to complete PAS or OPAS prior to further appearances related to

²⁹ Under the Rules, a judge may exempt a party from attending PAS if they are seeking a protection order or “the judge is satisfied that urgent and exceptional circumstances exist requiring a judge to hear the matter at the earliest opportunity” (Rule 21 (7)).

the Notice of Motion. It should also be noted that Notices of Motion may be used for a variety of purposes³⁰ and many are filed in circumstances that would not otherwise require PAS attendance³¹.

Interviews with court registry staff suggest that the use of Notices of Motion varies quite widely from place to place, and the likelihood that parties to a Notice of Motion will be directed to take OPAS or PAS also varies. In an attempt to assess the impact that Notices of Motion may be having on OPAS and PAS completions, data on their use was provided by Court Services for the baseline and pilot periods for both OPAS and the in-person PAS comparison sites.

Exhibit 2.8 provides data on the number of Notices of Motion filed per court case (new cases and subsequent applications) for the baseline and pilot periods. As the exhibit shows, there has been a great difference in the use of Notices of Motion among court locations. It also shows that there was an increase in their use from the baseline to the pilot period. Additionally, this increase, though quite variable by site, was quite similar for the pilot and comparison sites as a whole and was slightly higher overall in the comparison sites.

Given the overall similarity in the use of Notices of Motion for the pilot site and comparison site groups, we conclude that the use of Notices of Motion likely do not contribute significantly to the differences in course completions seen at in-person PAS sites and OPAS sites.

³⁰ The purposes are set out in Rule 12(5) of the Provincial Court (Family) Rules.

³¹ For example a Notice of Motion may be filed seeking a review of spousal support in a filed agreement or existing order. Rule 12(5)(h) also permits the use of a Notice of Motion “for any other order, direction or review that, under these rules, is sought by a notice of motion”.

Exhibit 2.8
Notices of Motion per 100 Court Cases

	Notices of Motion per 100 Court Cases		
	Baseline Period	Pilot Period	% change
Pilot sites			
Campbell River Law Courts	21.5	23.3	9%
Courtenay Law Courts	21.2	26.1	24%
Kamloops Law Courts	28.4	29.1	2%
Penticton Law Courts	25.7	29.2	14%
Vernon Law Courts	21.7	20.7	-5%
All Pilot Sites	24.7	26.5	7%
Comparison sites			
Abbotsford Provincial Court	19.5	21.3	9%
Chilliwack Law Courts	20.7	23.3	13%
Kelowna Law Courts	22.0	27.6	26%
Nanaimo Law Courts	24.0	26.5	11%
North Vancouver Provincial Court	35.3	29.3	-17%
Prince George Law Courts	29.4	32.7	11%
All Comparison Sites	24.4	26.5	9%

G. Conclusions Regarding Participation Rates

The monthly volume of court applications that trigger the requirement for parents to attend PAS or OPAS decreased from the baseline period to the pilot period at both at pilot sites and comparison sites.

Participation rates for PAS and OPAS courses also decreased between the baseline and pilot periods.

The monthly number of completions at OPAS sites decreased by 36% from the baseline period.

Comparison sites saw a smaller (14%) decrease in PAS participants per month. A combination of factors contributes to these participation results:

- The reduction in court cases explains some of the decreased PAS and OPAS completions from the baseline to the pilot period.

- A few people who reside in comparison site communities completed OPAS, rather than in-person PAS, on a voluntary basis during the pilot period. This factor explains a small portion of the decreased PAS completions seen at the comparison sites.
- Both in-person PAS and OPAS have more people registering for the course than completing it, but OPAS had a much larger drop off rate than the in-person sites.
- Indirect evidence suggests that there are fewer people registering to take OPAS on a voluntary basis than had taken the in-person course on a voluntary basis during the baseline period at the pilot sites.
- The use of Notices of Motion likely does not contribute significantly to the differences in completions at in-person PAS sites and OPAS sites.

A closer examination of more recent data suggests that OPAS participation is improving. Most importantly, the number of people completing OPAS per month increased substantially during the pilot period. The proportion of those who registered for OPAS and who went on to complete the course within 90 days also improved somewhat. Both these trends suggest that the difference between PAS and OPAS participation rates is narrowing. Finally, controlling for court activity, completions for OPAS and PAS were quite similar during pilot period (23 and 25 completions per 100 court cases respectively).

Most parents learn about PAS and OPAS from the court registry, a family justice centre, or a lawyer. Court registry staff explain the requirement to complete the course and provide information on how to register for the program. They also ensure that one party has filed a PAS certificate before a court appearance date is set, and follow processes to ensure that judges can easily determine who has met the requirement and who has not. Some judges direct parties who have not met the requirement to take the course.

Both PAS and OPAS have some accessibility limitations. Some parents have to travel to attend in-person PAS sessions and the times when they are offered may conflict with some parents' work schedules. Some locations have delays of a number of weeks to get into an in-person session. OPAS is available at all times, but cannot be accessed easily by parents who lack a computer or adequate internet service. Some parents may also lack the computer skills, or English literacy, needed to complete the online course. However, FJSD Local Managers are now granting fewer exemptions from PAS as they refer parents who live in areas where in-person PAS is not available to take the course online instead.

While participation and completion rates for OPAS are improving, a best practice is providing parents with detailed instructions (including screen shots) that explain how to register for OPAS. Greater promotion of OPAS among community service providers may be needed to increase the profile of the online program and encourage voluntary participation. Finally, changes could be made to streamline the online registration process. This could be done by allowing parents anywhere in the province to register for OPAS and receive a certificate that can be filed in court.

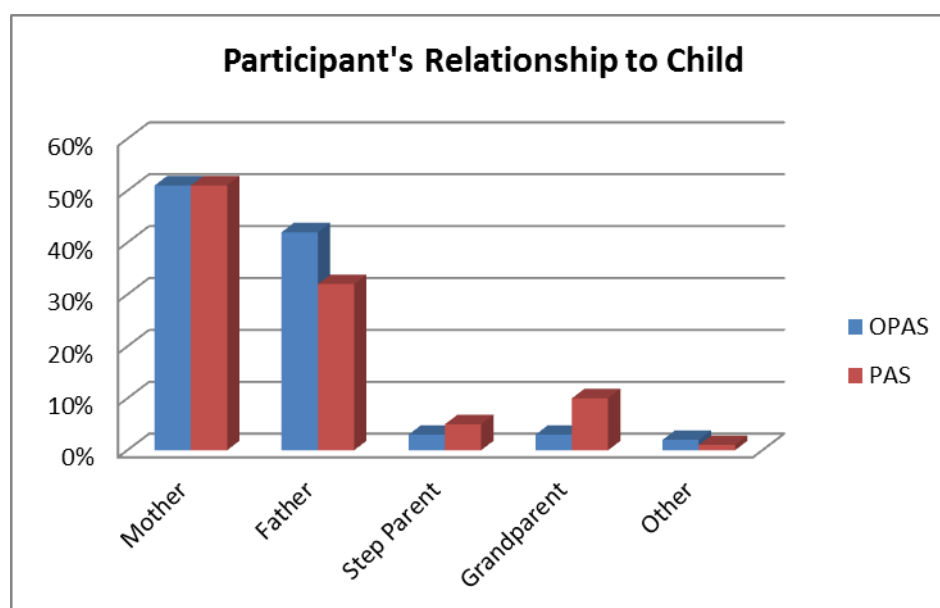
Chapter Three:

Participant Satisfaction and Learning Outcomes

This chapter presents evaluation results related to participant satisfaction with the PAS and OPAS courses and their respective learning outcomes. Data for these issues were collected using participant feedback forms completed and submitted from November 1, 2014 to February 6, 2015.

In total, 346 in-person PAS forms and 189 OPAS forms were completed, though some participants did not answer all of the questions on the forms. The forms were completed by parents, grandparents, step-parents and others as shown in Exhibit 3.1. Mothers represented 51% of both the OPAS and PAS groups, and the proportions of step-parents and “others” were also similar. Fathers were more common in the OPAS group, and grandparents more common in the in-person PAS group.

Exhibit 3.1
Participants' Relationship to the Child(ren)



A. Participant Satisfaction

Three aspects of participant satisfaction have been measured for this evaluation: convenience, ease of use and time to complete PAS or OPAS; satisfaction with presenters and course content; and, overall satisfaction and willingness to recommend the course to others.

1. Convenience, Ease of Use and Time to Complete the Course

The concepts of convenience and ease of use have been characterised differently for PAS and OPAS participants. While not directly parallel, the two sets of feedback questions were both intended to measure participant satisfaction with the process of taking the courses.

For in-person PAS, this was measured by asking participants to rate the convenience of the in-person session location and the time of day that it is offered. For OPAS, this was measured by asking participants to rate the ease of the registration process, the navigation through the online site, and simply the ease of completing the course online.

Participants were asked to rate how strongly they agreed with statements using a five point scale ranging from Strongly Agree, through Neutral, to Strongly Disagree. Results shown below condense the scale to three points: Strongly Agree and Agree; Neutral; and Disagree and Strongly Disagree. An average score was calculated for each response³²; a higher average score indicates a stronger level of agreement than a lower average score. Exhibit 3.2 presents the results of these items.

Participants in both the in-person PAS and OPAS gave generally positive ratings to the convenience and ease of use of the courses. Highest ratings were given to the ease of registration and navigation in OPAS³³.

In addition to these questions, OPAS participants were asked how long they spent taking the course (in-person PAS sessions are three hours long³⁴). Results are shown in Exhibit 3.3. Two thirds of participants spent between two and five hours completing the online course.

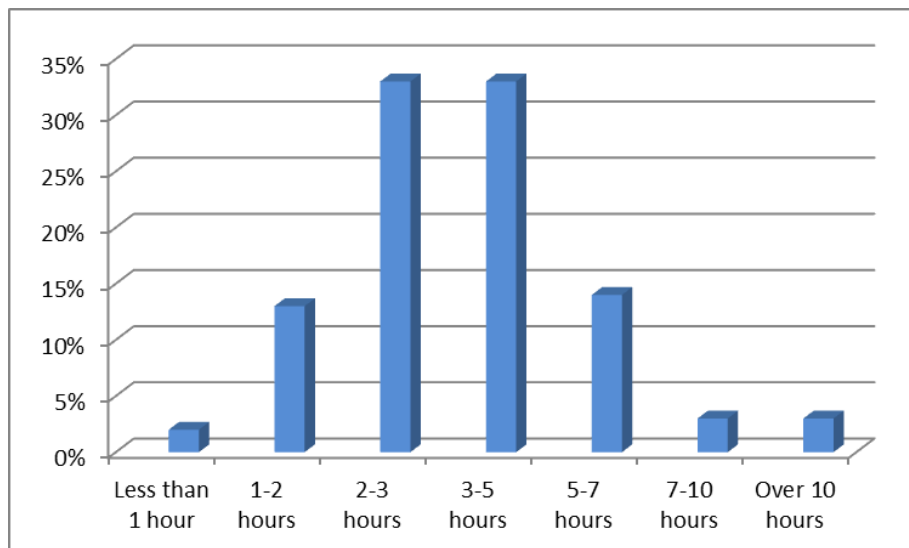
³² Strongly Agree responses were rated as 5, Agree as 4, Neutral as 3, Disagree as 2, and Strongly Disagree responses as 1.

³³ The statistical significance of the difference in ratings given by the two groups was not calculated for these items as the questions posed to the two groups were different.

³⁴ Anecdotal feedback from contractors who deliver the in-person PAS is that the sessions can run for a time shorter or longer than the standard 3 hour length, depending on the degree of client participation.

Exhibit 3.2**Participant Satisfaction with Convenience of PAS and Ease of Use of OPAS**

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
In-Person PAS The time and location of the course were convenient	84%	11%	4%	4.2	341
OPAS It was easy to register for the course	88%	7%	5%	4.3	189
It was easy to complete the course online	81%	10%	9%	4.1	189
It was easy to navigate from section to section	89%	7%	4%	4.3	189

Exhibit 3.3**Participants' Time to Complete OPAS**

2. Satisfaction with Presenters and Course Content

Both the online and in-person courses make use of presenters, include videos, and provide information on other parenting, family and legal resources in the community. On both feedback forms participants were asked to rate these aspects of the course. Both groups were also asked to rate how easy it was to understand the course material. Exhibit 3.4 presents the results of these items.

Participants in both course types gave very positive ratings to all of these aspects. The in-person PAS participants gave slightly higher ratings on all of the items, giving particularly positive ratings to how easy it was to understand the course material and the clarity of the presenters. Both groups gave slightly lower – though still generally positive – ratings to the videos. The difference in ratings given by the two groups was statistically significant³⁵ for the first two items but not significant for the last two items in Exhibit 3.4.

³⁵ “It was easy to understand the course material” $p < 0.05$; “The presenters provided the information clearly” $p < 0.05$. Statistical significance is the probability that the results happened by chance and therefore may not truly represent the population from which the samples were drawn. For this item, the probability (“p”) that the differences between the OPAS and in-person PAS responses occurred by chance (rather than because a difference actually exists) is less than 5% (“ < 0.05 ”).

Exhibit 3.4**Participant Satisfaction with Presenter Clarity, Videos and Resource Information**

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
It was easy to understand the course material					
In-Person PAS	96%	4%	0%	4.5	345
OPAS	92%	5%	3%	4.3	187
The presenters provided information clearly					
In-Person PAS	99%	1%	0%	4.5	346
OPAS	95%	4%	1%	4.4	189
The additional video presentations were informative and interesting*					
In-Person PAS	83%	15%	2%	4.2	343
OPAS	81%	15%	4%	4.1	189
The resources section includes information on other parenting, family and legal resources in the community					
In-Person PAS	91%	8%	0%	4.3	342
OPAS	87%	12%	2%	4.2	189
* In-person version wording was "The videos were informative and interesting"					

The delivery of in-person sessions necessarily differed from the online course in some ways. In-person participants were asked to rate the ability of the presenters to manage the group, how well organized the presenters were, and the presenters' knowledge of the subject area. As OPAS participants did not interact with live presenters, these participants were instead asked to rate the mix of video instruction, video presentation, on-screen text, and online activities, and the relevance and helpfulness of the interactive exercise. See results in Exhibits 3.5 and 3.6.

Participants at the in-person PAS sessions gave very high ratings to the presenters, with nearly all participants strongly agreeing or agreeing that the presenters managed the group well, were well organized and knew the subject matter well. OPAS participants gave slightly lower ratings to the mix of instructional materials and moderately positive ratings to the interactive exercises. Close to 90% strongly agreed or agreed that the mix of materials was good, and just over 80% strongly agreed or agreed that the interactive exercises were relevant and helpful³⁶.

³⁶ The statistical significance of the difference in ratings given by the two groups was not calculated for these items as the questions posed to the two groups were different.

Exhibit 3.5**In-person PAS Participant Satisfaction with Presenters**

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
In-Person					
The presenters managed the group well	98%	2%	0%	4.6	343
The presenters were well organized	97%	3%	0%	4.6	344
The presenters knew their subject matter well	98%	2%	0%	4.6	345

Exhibit 3.6**OPAS Participant Satisfaction with Mix of Materials and Interactive Exercises**

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
Online					
There is a good mix of video instruction, video presentation, on-screen text, and online activities	89%	8%	4%	4.3	189
The interactive exercises were relevant and helpful	81%	16%	4%	4.1	189

3. Overall Satisfaction and Willingness to Recommend to Others

OPAS and in-person PAS participants were asked to rate their overall satisfaction with having taken the course, and how willing they would be to recommend the course to others. As the results in Exhibit 3.7 show, both groups gave positive ratings to the course though the in-person PAS participants gave higher ratings than the OPAS participants; the difference in ratings given by the two groups are statistically significant³⁷.

Exhibit 3.7

Participant Satisfaction Overall and Willingness to Recommend to Others

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
Overall, I am satisfied with having taken the online PAS course*					
In-Person PAS	92%	6%	2%	4.4	333
OPAS	83%	12%	5%	4.2	189
In person version of the question is worded "Overall, I am satisfied with having taken the PAS course".					
I would recommend the online PAS course*					
In-Person PAS	92%	6%	2%	4.4	331
OPAS	81%	12%	7%	4.2	189
In person version of the question is worded "I would recommend the PAS course".					

B. Learning Outcomes

A key objective of the OPAS and PAS courses is to teach parents about the impacts of separation and divorce on children and themselves, and to provide parents with suggestions and strategies for communicating with their children and their former spouses. This information is conveyed through the use of videos, direct instruction, group discussion at in-person sessions and interactive exercises in the online course. The participant feedback form included six items that asked participants to rate their agreement or disagreement with statements related to these potential learning outcomes.

³⁷ "Overall, I am satisfied with having taken the [online] PAS course", $p < 0.05$. "I would recommend the [online] PAS course" $p < 0.05$.

1. Impacts of Separation and Divorce

Three items asked participants to rate how strongly they agreed with statements about achieving a greater understanding of the impacts of separation and divorce on adults in general, on children and on themselves. Exhibit 3.8 presents the results. Most participants in both versions of the course indicated agreement or strong agreement for all three items, with the learning related to children receiving the highest ratings, and the learning about their own feelings receiving the most moderate rating. The OPAS participant ratings were slightly more moderate than the in-person ratings for all three items. The difference in ratings given by the two groups was not statistically significant for any of these items.

Exhibit 3.8

Participant Ratings of Learning Outcomes related to the Impacts of Separation and Divorce

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
The course helped me to understand the experience of the separation/divorce experience for adults					
In-Person PAS	88%	11%	1%	4.3	343
OPAS	85%	11%	2%	4.2	189
The course helped me understand my own feelings about the separation/divorce					
In-Person PAS	78%	19%	3%	4.1	340
OPAS	75%	18%	7%	4.0	189
The course helped me understand the experience of the separation/divorce process for children					
In-Person PAS	92%	7%	1%	4.4	341
OPAS	90%	6%	4%	4.3	189

2. Communication Strategies

Two items on the feedback form asked participants to rate their agreement with statements about improved strategies for communicating with the other parent and their children. Another item asked about understanding the importance of not placing children in the middle of parental conflicts. Exhibit 3.9 presents the results for these items.

Exhibit 3.9

Participant Ratings of Learning Outcomes related to Communications

	% Agreeing or Strongly Agreeing	% Neutral	% Disagreeing or Strongly Disagreeing	Average Score	n
The course helped me understand how to talk to the children about the separation/divorce					
In-Person PAS	87%	11%	1%	4.3	341
OPAS	90%	8%	3%	4.3	189
The course helped me to understand the importance of not placing children in the middle of conflicts between parents					
In-Person PAS	94%	6%	0%	4.6	345
OPAS	91%	6%	3%	4.3	188
The course gave me communication ideas for when I'm speaking with the other parent					
In-Person PAS	85%	13%	3%	4.2	342
OPAS	83%	12%	6%	4.2	189

Again, most participants in both versions of the course indicated agreement, or strong agreement for all three items, with the learning related to not placing children in the middle of parental conflicts receiving the highest ratings. The OPAS participant ratings were slightly higher for the item about communicating with children and slightly more moderate for the other items, than the in-person ratings. The difference in ratings given by the two groups was statistically significant for the second item but not the first or third item.³⁸

³⁸ "The course helped me to understand the importance of not placing children in the middle of conflicts between parents" $p < 0.05$.

OPAS participant data also provides information on the proportion of the course material completed (viewed) by participants, and their final test scores. In order to complete the course participants were required to view at least 90% of the course pages and have a passing test score of 70% or higher. There is no comparable indicator for in-person PAS as certificates are simply issued to all persons who attend the entire 3 hour session. On average, those who completed the OPAS course viewed 98% of the pages. Those who completed the course achieved an average test score of 92%. These results indicate a high level of study and comprehension of the course materials.

C. Conclusions Regarding Participant Satisfaction and Learning Outcomes

Overall, participants expressed high levels of satisfaction with both in-person PAS and OPAS. Participants gave generally positive ratings to the convenience and ease of use of both courses. Participants gave positive to very positive ratings to the course materials, presenters, videos and resources sections, and for OPAS, to the interactive exercises. While over 90% of both groups agreed or strongly agreed that the course material was easy to understand and that the presenters provided information clearly, the in-person PAS participants gave higher ratings than the OPAS participants in these areas. Both groups rated their overall satisfaction with the course and their willingness to recommend it to others highly, though the ratings given by in-person PAS participants were higher than those given by OPAS participants.

Most parents in both in-person PAS and OPAS indicated that they achieved intended learning outcomes from the courses. Most agreed that they achieved a greater understanding of the impacts of separation and divorce on adults in general, on children and on themselves. Most also agreed that the course gave them ideas about how to communicate with the other parent and their children. While over 90% of both groups agreed or strongly agreed that the course helped them understand the importance of not putting children in the middle of parental conflicts, the in-person PAS participants gave this item higher ratings than the OPAS participants.

Chapter Four: Impacts on Court Use

A. PAS and OPAS Impact on Court Use

This chapter considers the question of the impact of in-person PAS and OPAS on court use. PAS and OPAS present general information regarding the use of court and non-court methods to resolve family disputes. While most participants will be taking the course because they have begun, or are a party to a court action, it is hoped that the information provided will encourage participants to consider trying mediation and other collaborative methods as alternatives to court.

One hypothesis is that parents who attend and complete PAS or OPAS will be less likely to use court to resolve their family justice issues (i.e. are diverted from court) than if they had not completed the program. A related hypothesis is that parents who complete OPAS are diverted from court at the same rate as parents who attend in-person PAS. A previous evaluation³⁹ of PAS found that court registries where PAS attendance was required had fewer cases progressing to a first court appearance than registries in comparison sites where the PAS requirement did not apply. In addition, the evaluation found that cases at PAS court registries were less likely to proceed to more than three appearances than cases at the comparison registries.

This chapter presents the results of analysis of participant feedback data and survey responses regarding their intentions to use court and non-court dispute resolution approaches as well as the actual actions taken to resolve disputes taken after the participants completed PAS or OPAS.

B. Participant Intentions to Use Court and Non-court means to Resolve Family Issues

The forms used for PAS and OPAS in this evaluation that collected feedback from participants right after they finished the in-person or online course. The feedback form posed two sets of “before and after” questions related to ways to resolve their family issues. Participants were asked how strong their intentions regarding the use of court and mediation were prior to taking the course, and how strong

³⁹ “Mandatory Parenting after Separation Pilot: Final Evaluation Report”, British Columbia Ministry of Attorney General, Management Information and Evaluation Division, October 2000.

their intentions were now that they had completed the course. Specifically, participants were asked to rate how strongly they agreed or disagreed with the following four statements:

- 1a. Before I took the course I had planned to go to court to resolve our separation/divorce issues
- 1b. Now that I have taken the course, I plan to go to court to resolve our separation/divorce issues
- 2a. Before I took the course I had planned to try mediation or other ways to resolve our separation/divorce issues out of court
- 2b. Now that I have taken the course, I plan to try mediation or other ways to resolving our separation/divorce issues out of court

These results indicate some difference in intentions between the in-person and OPAS participants at the time when they completed the feedback forms:

- In-person participants indicated that their intention to use court dropped after taking PAS (63% agreeing or strongly agreeing before taking PAS, 52% after), but also indicated a slight drop in their intentions to use mediation or other out of court approaches (55% before, 52% after). Neither of these changes is statistically significant.
- OPAS participants indicated an increase in their intention to use court after taking OPAS (50% agreeing or strongly agreeing before taking OPAS, 55% after), and virtually no change in their intentions to use mediation (52% before, 51% after). Neither of these changes is statistically significant.

These results are difficult to interpret. While in-person participants seem less inclined to use court after taking the course, they are also slightly less inclined to pursue other non-court approaches to resolving their issues.

Conversely, OPAS participants seem slightly more inclined to use court after the course. The proportion of OPAS participants “agreeing or strongly agreeing” with all four statements are all in the 50% to 55% range, perhaps indicating that participants do not perceive court and mediations as alternatives to each other so much as potential paths that could both be taken.

Participants were much more likely to give these statements neutral ratings compared to the other items on the feedback form, perhaps reflecting a general ambivalence or uncertainty to the question of resolving disputes, by any means. Most participants in both PAS and OPAS will have taken the course because they were required to do so by provincial court rules – thus most are already engaged in a court process at the time that they complete the feedback forms. The information provided in PAS and OPAS about court and other approaches may be at odds with their current course of action, creating some uncertainty for participants. Also, the feedback form asked about participant intentions for future actions immediately after they have received information about the options. Their views, and

subsequent actions, may change with further reflection, and when they discuss options with the other party in their case.

Despite the difficulty in interpreting the results, it is worth noting that the differences between the two groups regarding their intentions after taking the course are small and not statistically significant.

C. Participant Actions Taken to Resolve Family Issues

As just discussed, the participant feedback forms, administered immediately after completion of OPAS and in-person PAS, captured participants' views regarding their intent to go to court or try out of court means to resolve their separation and divorce issues. The follow-up survey, administered 7 to 10 months after the participants had completed the course, asked participants about their actual use of court and non-court approaches, whether their issues had been resolved, and the steps they planned to take to address any still unresolved issues. The follow-up survey also asked participants to rate the impact that OPAS or in-person PAS had made on their intention to use court and non-court means to resolve their family issues. Seventy completed responses were received for each of the in-person PAS and the OPAS follow-up surveys.

1. Actions taken since completing OPAS or in-person PAS

The first question of the follow-up survey asked participants to identify which of a number of possible approaches to resolving their family disputes they had followed after they completed OPAS or in-person PAS. The approaches listed included actions related to mediation (talking to a family justice counsellor, talking to a private mediator, having one or more mediation sessions), accessing the services of a private or duty counsel lawyer, court activity (appearances before a judge, or waiting for a first appearance), attempts to resolve issues with the other parent informally and no actions taken. Multiple responses were permitted and many survey respondents chose more than one response.

The results for this question are shown in Exhibit 4.2; percentages indicate the percentage of respondents who selected each item.

Exhibit 4.2**Actions Taken to Resolve Family Issues**

	In-Person PAS	OPAS
I talked to a family justice counsellor about mediation	33%	21%
I talked to a private mediator about mediation	4%	3%
We had one or more mediation sessions	21%	16%
I talked to a lawyer or Duty Counsel lawyer	53%	63%
We are waiting for our first appearance at court	7%	13%
We had one or more appearances in court before a judge	59%	54%
I tried to work our issues out informally with the other parent	34%	27%
I / we have decided not to proceed at this time	7%	4%
None of the above	1%	4%
Number responding	70	70
Total Responses selected	161	152

Percentages sum to more than 100% because multiple responses were permitted.

These results lead to the following observations and conclusions:

- A larger proportion of in-person PAS respondents than OPAS respondents spoke to mediators (37% versus 24%) and had at least one mediation session (21% versus 16%)
- More OPAS respondents spoke to a lawyer than in-person PAS respondents (63% versus 53%)
- The proportion of both groups that had court appearances or were waiting for a court appearance was very similar (in-person PAS 66%, OPAS 67%).
- A sizable proportion of both groups attempted to work out their issues with the other parent using informal approaches (in-person PAS 34%; OPAS 27%)
- Further analysis of the response data revealed that similar proportions of in-person PAS and OPAS respondents (11% and 9% respectively) had used both mediation and court approaches. That is, they indicated that they had one or more mediation sessions and either one or more appearances in court or were waiting for their first court appearance.

The question also provided a text box for respondents to enter other services or approaches they may have used. Other service providers mentioned were a social worker and a life coach. Two respondents indicated that they had successfully worked out an arrangement with the other parent. Two indicated that they are waiting for the other party to respond or for a later

time before proceeding and one indicated that the other party had withdrawn their court application.

2. Status of family law case at the time of the survey

Respondents who had attempted mediation and/or court to resolve their family issues were asked to comment on the status of their cases at the time of the survey and the extent to which their issues had been resolved.

a. Respondents with mediation sessions

The numbers of respondents in both the OPAS and the in-person groups who had had at least one mediation session were fairly small so the results must be viewed with caution. As shown in Exhibit 4.3, a small number of respondents were continuing to mediate at the time of the survey. The others had finished mediation, with agreement reached on some or all issues in 8 out of 12 cases for the in-person PAS group, and 3 out of 7 cases for the OPAS group.

Those who had used mediation who still had outstanding issues were also asked what steps they planned to take to address those issues. The most common responses were to continue with mediation/try mediation again and go to court for a judge to decide (see Exhibit 4.4). Multiple responses were permitted.

Exhibit 4.3

Case status at the time of the survey: Respondents who had mediation sessions

	In-Person PAS	OPAS
We are continuing to mediate	3	4
We finished mediation and reached agreement on all issues	4	2
We finished mediation and reached agreement on some issues and are still trying to agree on others	4	1
We finished mediation and did not reach agreement on any issues	4	4
Number responding	15	11

Exhibit 4.4**Expected steps to resolve outstanding issues: Respondents who had mediation sessions**

	In-Person PAS	OPAS
Continue mediation or try mediation again	5	5
Try to work it out informally with the other parent	3	1
Try to work it with the help of lawyers	1	1
Go to court for a judge to decide	4	4
Do nothing for now	3	0
Don't know / undecided	2	0
Number responding	11	9
Total number of responses	18	11

b. Respondents with court appearances

The number of respondents in both the OPAS and the in-person groups who had had at least one appearance in court were fairly small so the results must be viewed with caution. Respondents were first asked how many appearances they had had in court after taking PAS or OPAS. While most respondents in both groups had appeared in court only once or twice, a sizable minority had appeared three or more times (see Exhibit 4.5).

Exhibit 4.5**Number of appearances in court: Respondents who had court appearances**

	In-Person PAS	OPAS
One time	15	13
Two times	10	13
Three or more times	16	10
Number responding	41	36

All who had at least one appearance in court were asked the status of issues in their case. Multiple responses were permitted. Fifty-one percent (21 out of 41) of the in-person PAS group who had appeared in court reported that their court case was finished at the time of the survey compared to 64% (23 out of 36) of the OPAS group.

As shown in Exhibit 4.6, all issues had been decided in roughly a third of cases for both the in-person PAS and the OPAS groups. However, no issues had been decided for more in-person PAS respondents than the OPAS respondents; this is consistent with the result that a higher proportion of the OPAS group had concluded their court cases than the in-person PAS group.

Exhibit 4.6

Case status at the time of the survey: Respondents who had court appearances

	In-Person PAS	OPAS
All issues have been decided	15	13
The judge made an interim order	8	11
Some issues have been decided but some are not yet decided	14	13
None of the issues is decided	11	3
Number responding	41	38
Total number of responses	48	40

Survey respondents who had at least one court appearance and who indicated that they still had outstanding issues were asked what steps they planned to take to address those issues. The most common response was to continue with the court case. Very few people expected to try mediation or to try to work their issues out informally with the other parent, and some expected to attempt a resolution with the help of lawyers (see Exhibit 4.7). Multiple responses were permitted.

Exhibit 4.7**Expected steps to resolve outstanding issues: Respondents who had court appearances**

	In-Person PAS	OPAS
Continue with the court case	14	11
Try mediation	2	2
Try to work it out informally with the other parent	2	4
Try to work it out with the help of lawyers	7	5
Do nothing for now	2	2
Don't know / undecided	3	2
Number responding	24	16
Total number of responses	30	26

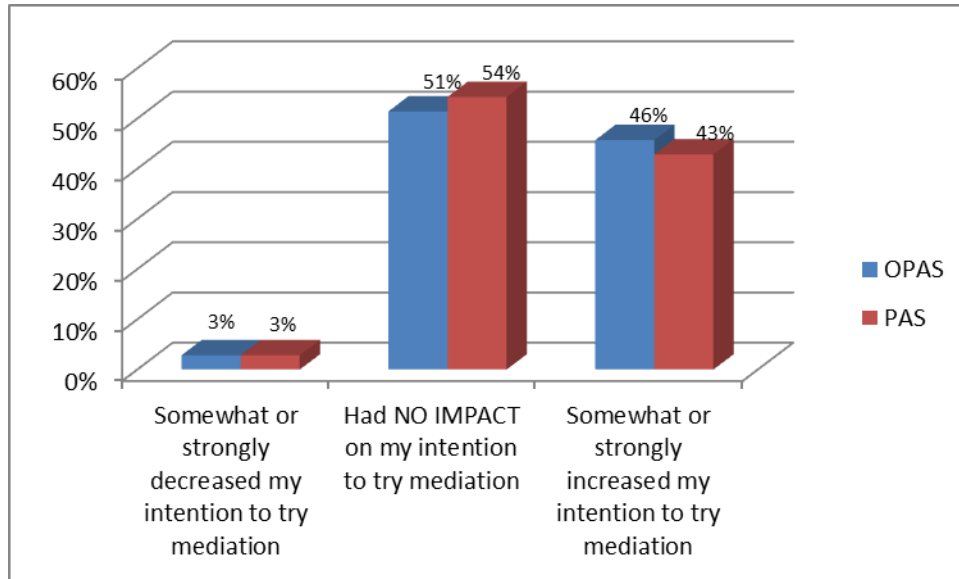
D. Impact of PAS and OPAS on Intention to use Court and Mediation to Resolve Issues

At the end of the PAS session and the OPAS online course, participants completed feedback forms that asked them to rate their intentions to try mediation and court to resolve their issues, both prior to taking the course and after completing it (see section B above). The follow-up survey asked the respondents to rate the impact that the information provided in PAS or OPAS had on their intention to use mediation and court to resolve their issues. In contrast to the feedback forms, follow-up survey questions were asked some 7 to 10 months after the course had ended, and after most participants had taken some actions to resolving their issues.

The impact on clients' intentions to try mediation was very similar for both the in-person PAS and the OPAS respondents. Results are shown in Exhibit 4.8. Very few indicated that the course had decreased their intention to try mediation. Just over half of both groups said the program had no impact, while 43% of the in-person PAS respondents and 46% of the OPAS respondents said that the course had somewhat or strongly increased their intention to try mediation. The differences in responses between the two groups was not statistically significant for this question

Exhibit 4.8

Impact on Clients' Intentions to try Mediation

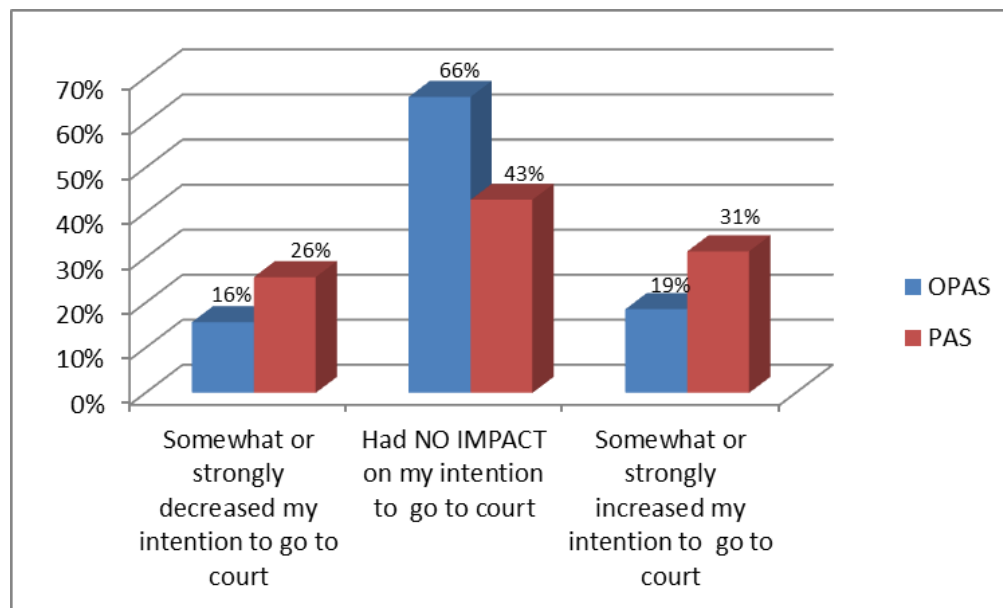


In contrast, the in-person PAS and OPAS groups differed somewhat in their answers regarding the impact on their intention to go to court to resolve issues (see Exhibit 4.9):

- The OPAS group was much more likely to indicate a neutral response – two thirds (66%) said that the course had no impact on their intentions to go to court, while 16% said the course decreased their intentions, and 19% said it increased their intentions, to go to court.
- The In-person PAS respondents were much less likely to give a neutral response. Less than half (43%) said that PAS had no impact, while 26% said the course decreased their intentions, and 31% said it increased their intentions, to go to court.

Despite the different pattern of these results, the overall difference in responses between the two groups was not statistically significant for this question.

Exhibit 4.9
Impact on Clients' Intention to go to Court



E. Diversion from Court

One hypothesis examined in this evaluation is that parents who attend and complete in-person PAS or OPAS are less likely to use court to resolve their family justice issues (i.e. are diverted from court) than if they had not completed PAS or OPAS. A related hypothesis is that parents who complete OPAS are diverted from court at the same rate as parents who attend in-person PAS.

In this evaluation, two factors must be present in order to say that in-person PAS or OPAS have diverted people from court:

- The clients must not have had any appearances in court and are not waiting for a first appearance at court (no court activity), and
- They must indicate that PAS or OPAS somewhat or strongly decreased their intention to go to court to resolve their issues.

In other words, having had no court activity is not sufficient evidence of diversion; the participant must also confirm, to some degree, the influence of PAS or OPAS on their intention to not use court. This is because there could be many other reasons that a participant did not proceed to court; for example, the other party may have withdrawn the court application, or the participant had not intended to go to

court to begin with. Thus, a critical element in the assessment of diversion from court is the influence of PAS or OPAS on a participant's intended course of action.

As the results in the previous section indicate, a sizable portion of the survey respondents said that the course had no impact on their intention to go to court. For those who went to court, this implies that their original intention was to go to court, and PAS or OPAS did not change that intention. The same is true for those who did not go to court – their original intention was not to go to court, and PAS and OPAS did not have an impact on that intention. The implication is that they would not have gone to court even if they had not taken PAS or OPAS.

However, for both in-person PAS and OPAS groups, there are those who indicated that the program did change their intentions to go to court. Those who *did not go to court* (and are *not* waiting for a first appearance at court), AND who also indicated that PAS or OPAS *decreased* their intention to go to court, are considered to have been diverted from court by the program in this evaluation.

Diversion results estimated from the follow-up survey are very similar for in-person PAS and OPAS:

- 25 out of the 70 in-person PAS respondents reported no court activity after completing the course (no appearances in court and not waiting for a court appearance). Of those 25, 8 respondents also indicated that PAS had decreased their intention to go to court. This gives an overall diversion rate of 11% (8 out of 70).
- 23 out of the 70 OPAS respondents reported no court activity after completing the course (no appearances in court and not waiting for a court appearance). Of those 23, 6 respondents also indicated that OPAS had decreased their intention to go to court. This gives an overall diversion rate of 9% (6 out of 70).

The diversion rate results for PAS and OPAS are only slightly different, and may be due in part to the influence of another pre-court requirement that operates at two comparison sites. At those sites, parties are required to meet with an FJC, in addition to completing PAS, before a court date will be set⁴⁰.

F. Conclusions Regarding Impact on Court

Participants reported having tried court, mediation and informal approaches to resolving their separation and divorce issues in the 7 to 10 months that elapsed from the time they completed PAS or OPAS and the follow-up survey. Two thirds of both OPAS and PAS participants had had court activity (had been to court or were waiting for a court appearance). PAS participants were more likely to have

⁴⁰ Pursuant to Rule 5 of the Provincial Court (Family) Rules, which applies in Kelowna and Nanaimo.

spoken to a mediator or have had mediation sessions, while OPAS were more likely to have spoken to a lawyer. A sizable minority of both groups had tried informal approaches to resolving their family issues.

Many of those who completed the follow-up survey indicated that OPAS and PAS had not impacted their intentions to try either mediation or go to court. About 16% of the OPAS group and 26% of the PAS group said that the course had decreased their intention to go to court.

Participants were considered to have been diverted from court by PAS or OPAS if they had no court activity after taking the course and they indicated that the course had decreased their intention to go to court. On that basis, the evaluation concludes about 10% of participants were diverted from court because they took the course.

Chapter Five: Reported Advantages, Disadvantages and Suggestions for Improvement

This Chapter reports the views expressed in staff interviews regarding the relative advantages and disadvantages of in-person PAS and OPAS, and whether OPAS should be expanded. The advantages of in-person PAS arise from the personal interactions that occur at the sessions, while the key advantages of OPAS are its convenience and its wide geographic reach. The Chapter concludes with staff suggestions for ways to improve the programs.

A. Advantages and Disadvantages of in-person PAS

FJSD Local Managers and court registry staff largely agreed that the advantages of in-person PAS stem from the in-person facilitation of the sessions and the interaction amongst the parents who attend. For example, staff described these advantages:

- The in-person sessions create a personal connection between the parents and facilitators and Family Justice Counsellors who present at the sessions. Most Family Justice Counsellors do an excellent job of promoting FJSD services in their presentations, motivating a lot of people to then try the Division's services.
- Potential clients get a sense about what it would be like to work with a Family Justice Counsellor when they meet them in person; this is not conveyed as well with the Family Justice Counsellor video (shown when a Family Justice Counsellor does not present at the PAS session).
- In-person facilitators encourage participation and engage parents in the session.
- Participants can ask questions and get immediate answers.
- Parents often benefit by hearing the answers to questions posed by other people in attendance. They may gain insights regarding issues that they had not yet encountered or considered as possibilities.
- Discussion of the videos that are presented at the session can improve the participants' understanding of the video content and how it relates to their circumstances.
- The discussion and interaction with other parents can put a participant's own situation into perspective. Sometimes participants realize that other parents have the same problems that

they do, but may also realize that the circumstances of some others are much worse than their own.

- The in-person sessions provide parents who are going through a difficult phase in their lives with human beings to talk to, which can be supportive.
- Watching the behaviour of other parents at the session may cause some participants reflect on their own behaviour.

Staff also described another benefit of the in-person sessions. They suggest that having a scheduled session creates a motivation to attend, whereas the motivation to complete the online course is not as strong because it can be done at any time. People feel more accountable for their commitment to attend an in-person session that they have signed up to take. The course is completed in one three hour session, allowing parents to get it done and move onto to other things.

Disadvantages of the in-person sessions that were described by staff were mostly with regard to the inconvenience of session schedule and location for some participants:

- Single parents with young children need to arrange for childcare while they attend the session
- Getting to and from the session itself requires time, which can be quite lengthy in city traffic or for parents who live far from the session location.
- Some parents simply live too far away from the PAS location to attend and must be exempted (now they are usually directed to take the online course).
- The time of day that a PAS session is scheduled can conflict with work for some parents; sometimes this means that the parent will lose pay if they attend the session.

FJSD Local Managers listed some additional disadvantages of the in-person sessions:

- Based on participant feedback forms, one Local Manager feels that for every person who likes the interaction at the session, there seems to be another person who wants less talking and more presenter time.
- Angry participants can be disruptive in a session.
- One Local Manger noted that it is difficult to ensure an FJC's attendance for every evening PAS session in one community.
- Because in-person PAS is provided by a variety of contractors there is some inconsistency delivery from place to place.
- Persons registering but not attending can be an issue for in-person PAS sessions.

B. Advantages and Disadvantages of OPAS

Staff were also asked about the advantages and disadvantages of the online course. The advantages described address the inconvenience of attending the in-person sessions that affects some parents:

- Parents can take the online course on their own time, without a need to travel or to take time off work; they can take the course at a time and place that matches their own availability.
- Parents can take the course over a few days as their schedule permits, providing flexibility for parents who would have difficulty fitting a three hour (plus travel time) program into their schedule.
- The online course is available to everyone who has access to a computer and the internet, including in many smaller communities where it would be impractical to provide in person sessions. This means that fewer parents are exempted from the online version of the course.
- Many parents can complete the course from the convenience and privacy of their own home.
- Parents do not incur costs for travel, parking or babysitters to take the online course.
- There are no delays to take the online course – it is always available and parents can take it immediately without waiting for an available seat at a future in-person session. This means that some parents file their certificates at court in a matter of days, not weeks.
- One FJSD Local Manager noted that online PAS entails less work for FJSD staff – there are fewer exemption requests to review and fewer calls to the office requesting information about the time, location and availability of the in-person sessions.

Disadvantages related to the online course were mainly related to the loss of the interpersonal interaction that occurs at the in-person sessions. Specific disadvantages that were described include:

- The online course can be isolating. It does not provide opportunities to ask questions and get immediate answers and to benefit from group discussions.
- OPAS does not build the emotional connection with other participants and support that can develop when parents are in the same room, listening to other people's experience.
- Parents may not be as engaged with an online course as they are when they attend an in-person session. OPAS may seem dry in comparison to an in-person session.
- It is easier for parents to procrastinate about taking the course and this may result in some parents not taking it at all.

Other disadvantages related to technical aspects of taking a course online:

- Some communities and regions of the province do not have high speed internet access and it is not realistic to expect people who have only dial-up internet access to take the course online.
- The program, until very recently, did not have a mobile platform that would allow parents to take the course using a tablet or cell phone. If they lacked access to a computer at home or work they would have to take the course in a public place such as a library (if available). (As of January 2016 OPAS does have a mobile platform).
- Some participants lack the computer skills needed to take an online course, though this was thought to be true only for a limited number of participants (more grandparents than parents).
- People with limited English ability or low-functioning clients may be overwhelmed by the processes required to register and re-log into the course, creating difficulties in obtaining a final certificate for the course.
- Some parents believe that they have completed the course but in fact, have not met all of the requirements needed to get a certificate (particularly the need to visit 90% of the course webpages). Such parents may contact the OPAS contractor or an FJSD Local Manager for assistance, creating some additional workload for these staff.
- While some parents may have access to a computer (or now take the course on a mobile device), they may not have access to a printer to print the certificate right away (the contractor does mail a hard copy of the certificate to those who complete the course).

Finally, one Local Manager mentioned that there is a small risk that a parent could ask another person to complete the online course for them, which is less likely to occur at an in-person session.

C. Potential to expand OPAS

Staff were asked to comment on whether OPAS should be expanded to replace in-person PAS in more locations. Some supported expansion, some preferred to keep in-person PAS, and some suggested having both.

Arguments in favour of expanding OPAS to replace in-person sessions include:

- OPAS has a much greater geographic reach than in-person PAS, meaning that more people can take the course.
- The greater geographic reach also means that Parenting After Separation could be made a mandatory requirement at all provincial court locations (currently it applies at only 16 out of 43 provincial court locations)
- The online course provides a consistent presentation ensuring that all parents are exposed to the same content

- The online course is much less expensive to provide than in-person sessions, and can be accessed in smaller communities where it is not feasible to run in-person sessions.
- The product itself is good and parents seem to like it. The self quizzes that the online course has were mentioned as one particularly good feature.
- OPAS is much more convenient for parents, and there are no costs for travel or childcare to take it.
- Most parents would prefer to take the course online rather than attend an evening in-person session when they are tired after a full day at work.
- The FJC video is more comprehensive and presents more information than can be provided by a Family Justice Counsellor attending an in-person session. Questions from the audience take presenters off topic.

Arguments against expanding the online course to replace in-person sessions include:

- Parents would not have the opportunity to meet and interact with a Family Justice Counsellors through the online course as they do at in-person sessions. This might lead to fewer parents seeking services from FJSD.
- Parents may put off taking the online course if other things come up.
- Good facilitators do skill-based interactions with clients (that is, to practice communication techniques explained in the course), which cannot be done with the online course.
- Parents would lose the interaction with other people and the ability to ask questions and get immediate answers.

Many staff indicated that they were of two minds regarding the expansion of the online course to replace in-person sessions, and several felt it would be best to continue to provide both. Providing a choice would ensure that each participant takes the course in a way that best suits them and their circumstances.

D. Suggestions for Improvement

Staff offered a number of suggestions regarding improvements that could be made to PAS in general, and to OPAS in particular. Suggestions related to PAS generally were as follows:

- Many people suggested eliminating the requirement for parents to re-take PAS when they are file a new or subsequent application at court if they have completed the course once already⁴¹. Staff commented that this is the most common complaint about PAS that they

⁴¹ The requirement to re-take PAS does not apply when a subsequent application is filed within two years of the original application.

hear from parents. The course loses its impact for people who have taken it more than once or twice and the requirement frustrates parents.

- A related suggestion is that if a parent has completed the in-person PAS course once they could be permitted to complete the course online if they are required to take PAS again. Others suggested that grandparents and parents who had never lived together be exempted from the requirement to complete PAS.
- Some court registry staff suggested that it would be good for registry staff to know more about what the program covers.
- The final suggestion related to PAS generally is for judges to confirm that parents who are required to complete PAS have in fact taken the course and direct those who have not, to complete the course and file their certificate.

Suggestions related specifically to OPAS are:

- Find a way to allow online participants to ask a question and get an immediate response, or at least within 24 hours. One Local Manager suggested the possibility of a introducing a chat function that could operate during office hours. Another suggestion was to include a button to link the user to an FJSD telephone line to have a question answered right away.
- Refresh the online product and have less content provided by “talking heads”; keep the product updated so it doesn’t go stale.
- Although the registration process for OPAS has improved, one staff member feels that it could still be clearer so that participants will know the kind of certificate they would be getting⁴². An alternative would be to make all OPAS certificates eligible for filing at court.
- Another suggested that the court location names used in the OPAS registration process could be clearer. For example, people don’t know what “Vancouver Civil” means.

The comments provided by staff during interviews for this evaluation indicate that most see advantages for both the in-person and online versions of PAS and while some support expansion of the online program, others have mixed feelings about losing the benefits of the in-person program. Suggestions for improvements centred on adjusting how the PAS requirement applies in specific circumstances, and finding ways to overcome some of the limitations of the online program.

⁴² Unless the user registers as a pilot site resident, or as someone taking OPAS on an exemption from in-person PAS, the OPAS system will provide them with a form of certificate that cannot be filed at court.

E. Conclusions regarding Advantages, Disadvantages, Potential Expansion and Suggested Improvements

The key advantages of in-person PAS arise from the personal interactions that occur at the sessions, while the key advantages of OPAS are its convenience and its wide geographic reach. Staff had mixed opinions regarding expanding OPAS to replace in-person PAS, fearing a loss of connection between FJCs and parents who attend in-person sessions, but noting the greater convenience to parents and reduced cost of providing the course online.

Suggestions for improvement of PAS generally included making changes to the requirement to complete the course. For OPAS suggestions related to improvements to the registration process and the ability for users to have their questions answered quickly.

Appendix:

Participant Feedback Forms

A. **Online Parenting After Separation Feedback Form**

Parenting After Separation

for your child's future

Your opinions are very important and help us to improve the quality of the program. Please complete this feedback form.

Please indicate how strongly you agree or disagree with the following statements about Online PAS by marking an X in the appropriate box:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1. It was easy to register for the course					
2. It was easy to complete the course online:					
3. It was easy to navigate from section to section:					
4. It was easy to understand the course material:					
5. The presenters provided information clearly:					
6. There is a good mix of video instruction, video presentation, on-screen text, and online activities					
7. The interactive exercises were relevant and helpful:					
8. The additional video presentations were informative and interesting:					
9. The resources section includes information on other parenting, family and legal resources in the community					
10. The course helped me to understand the experience of the separation/divorce process for adults					
11. The course helped me understand my own feelings about the separation/divorce					
12. The course helped me understand the experience of the separation/divorce process for children					
13. The course helped me understand how to talk to the children about the separation/divorce					
14. The course helped me to understand the importance of not placing children in the middle of conflicts between parents					
15. The course gave me communication ideas for when I'm speaking with the other parent					

16. Before I took the course I had planned to go to court to resolve our separation/divorce issues					
17. Before I took the course I had planned to try mediation or other ways to resolve our separation/divorce issues					
18. Now that I have taken the course, I plan to go to court to resolve our separation/divorce issues					
19. Now that I have taken the course, I plan to try mediation or other ways to resolving our separation/divorce issues out of court					
20. Overall, I am satisfied with having taken the online PAS course					
21. I would recommend the online PAS course					

22. I spent about ____ hours taking the course

23. I am the children's:

____Mother ____Father ____Step-parent ____Grandparent

____Other: _____

24. I heard about the Parenting After Separation course from:

____ Judge / Court Registry staff

____ Brochure / poster

____ Family Justice Centre/Justice Access Centre

____ Lawyer

____ Family mediator

____ Website

____ Friend / family member

____ Self Help Centre

____ Other: _____

Your personal information is collected and kept confidential in accordance with the BC Freedom of Information and Protection of Privacy Act. The information entered on this form may be used to evaluate the Online Parenting After Separation program. Your responses will be kept confidential and will not be identifiable in the evaluation results. If you have questions about the collection of your personal information, contact Patricia Elliot, Program Analyst, Ministry of Justice at: (250) 356-0530.

B. In-person Parenting After Separation Feedback From

Parenting After Separation

for your child's future

Session Feedback Form

Your opinions are very important and help us to improve the quality of the program. We would appreciate it if you would take the time to complete this form.

Please indicate how strongly you agree or disagree with the following statements about PAS by marking an X in the appropriate box:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1. The time and location of the course were convenient					
2. The presenters provided information clearly					
3. It was easy to understand the course material					
4. The presenters managed the group well					
5. The presenters were well organized					
6. The presenters knew their subject matter well					
7. The videos were informative and interesting					
8. The resources section includes information on other parenting, family and legal resources in the community					
9. The course helped me to understand the experience of the separation/divorce process for adults					
10. The course helped me understand my own feelings about the separation/divorce					
11. The course helped me understand the experience of the separation/divorce process for children					
12. The course helped me understand how to talk to the children about the separation/divorce					
13. The course helped me to understand the importance of not placing children in the middle of conflicts between parents					
14. The course gave me communication ideas for when I'm speaking with the other parent					
15. Before I took the course I had planned to go to court to resolve our separation/divorce issues					
16. Before I took the course I had planned to try mediation or other ways to resolve our separation/divorce issues out of court					

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
17. Now that I have taken the course, I plan to go to court to resolve our separation/divorce issues					
18. Now that I have taken the course, I plan to try mediation or other ways to resolve our separation/divorce issues out of court					
19. Overall, I am satisfied with having taken the PAS course					
20. I would recommend the PAS course					

21. I am the children's:

___ Mother ___ Father ___ Step-parent ___ Grandparent

___ Other: _____

22. I heard about the Parenting After Separation course from:

___ Judge / Court Registry staff ___ Brochure / poster

___ Family Justice Centre/Justice Access Centre ___ Lawyer

___ Family mediator ___ Website

___ Friend / family member ___ Self Help Centre

___ Other: _____

The BC Ministry of Justice is evaluating the Parenting After Separation course. To evaluate this project, we would like to send you a follow up survey in about 6 months. An invitation to complete an online survey will be sent by email.

May we send a survey invitation to your email address?

___ Yes, my email address is: _____

___ No, do not send me the survey.

Your personal information is collected and kept confidential in accordance with the BC Freedom of Information and Protection of Privacy Act. The information entered on this form may be used to evaluate the Online Parenting After Separation program. Your responses will be kept confidential and will not be identifiable in the evaluation results. If you have questions about the collection of your personal information contact Patricia Elliot, Program Analyst, Ministry of Justice at (250) 356-0530.