

# Vancouver Justice Access Centre Evaluation Report

## Summary of Evaluation Activities and Results

September 3, 2014

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Family Justice Services Division  
Justice Services Branch



Ministry of  
Justice



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## A. Introduction

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### 1. Purpose of Paper

This paper summarizes and describes the results of evaluation activities conducted for the Vancouver Justice Access Centre (VJAC) assessing client experience and satisfaction and the impact on clients' use of courts. This includes an outline of the key findings and results of two client service/satisfaction surveys, one completed in March 2012 and the other completed in March 2013, and of a research study comparing VJAC family clients' court experience with the court experience of individuals who are not clients of a Justice Access Centre.

The paper is organized as follows:

- A section providing background and context, a brief overview of the Justice Access Centre (JAC) model including its purpose, objectives and basic service delivery approach, the number and location of existing JACs in the Province, and past JAC evaluations;
- A description of the VJAC, its clients, service areas and service delivery approach;
- A summary of the VJAC evaluation framework as well as a description of the VJAC evaluation activities, and the evaluation results and conclusions.

### 2. Background

#### 2.1 Justice Access Centres

##### Purpose, Objectives and Service Delivery Model

The JAC model is designed as an integrated approach to helping clients reach early and affordable solutions to their family and civil legal problems.<sup>1</sup>

The key objectives of the JAC model are to:

- make the justice system easier to access and understand;
- help citizens to better navigate the justice system;
- encourage clients to constructively participate in solving – or avoiding – justice problems with an emphasis on reaching out-of-court solutions;
- contribute to a system where appropriate services are available where, and when, clients need them; and,
- coordinate existing government and non-government services in the community.

A JAC provides a “single door” to the justice system where people can access integrated services that will help them reach early, affordable and lasting solutions to their family and/or civil legal problems. Through this single door, access to a range of services intended to help clients address their justice problem as well as other underlying issues is provided. Integrated services

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<sup>1</sup> The vision underlying justice access centres flows from the reports of the B.C. Family Justice Reform Working Group, *A New Justice System for Families and Children*, and the B.C. Civil Justice Reform Working Group, *Effective and Affordable Civil Justice*. For more detail on the origins of the JAC refer to the October 2010 report, *An Evaluation Framework for the Vancouver Justice Access Centre*.

are offered to clients through programs offered by Ministry of Justice staff as well as on-site justice agencies or service providers located at the centre or through referrals to service providers in the community.

### *JAC Locations*

There are currently three JACs operating in the province: the Nanaimo Justice Access Centre that opened in October 2008, the Vancouver Justice Access Centre that opened in July 2010, and the Victoria JAC that opened in October 2013.

The Nanaimo and Vancouver JACs offer help and a range of services for clients needing assistance with family and civil law issues, although the VJAC offers a fuller range of services than the Nanaimo JAC on the civil side. When the Victoria JAC was opened in October 2013 it focused solely on family matters, but beginning in the summer of 2014 civil services have begun to be added on an incremental basis.

### *2.2 Past JAC Evaluations*

Two evaluations have been conducted of the Nanaimo JAC. The first, completed in 2008 by Focus Consultants, reviewed the implementation of the Family Justice Services Centre that offered a wide range of family justice services before transitioning to a full JAC. The second evaluation, conducted by Malatest and completed in 2009, focused on the implementation of the Nanaimo JAC after civil justice services were added in October 2008. Both these evaluations were formative in nature, assessing program implementation and processes.

The 2008 evaluation found that clients, key justice partners, and staff felt that centralized and integrated services were beneficial to clients. Clients were generally satisfied with the level of service they received at the Centre and nearly 70 percent were able to resolve all, most, or some of their problems. The evaluation also found that, in general, clients were appropriately referred to the Centre and staff at the Centre made appropriate referrals to outside agencies as well. The 2009 evaluation came to similar conclusions, finding that clients were generally satisfied with the range of civil and family justice services they received. Most clients were able to resolve some, most, or all of their problems, with legal advice and mediation services being reported as the most useful.

## **B. VJAC Clients, Services and Service Delivery**

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### **1. VJAC Clients**

The JAC model is intended and designed to service a wide range and diversity of clients including those:

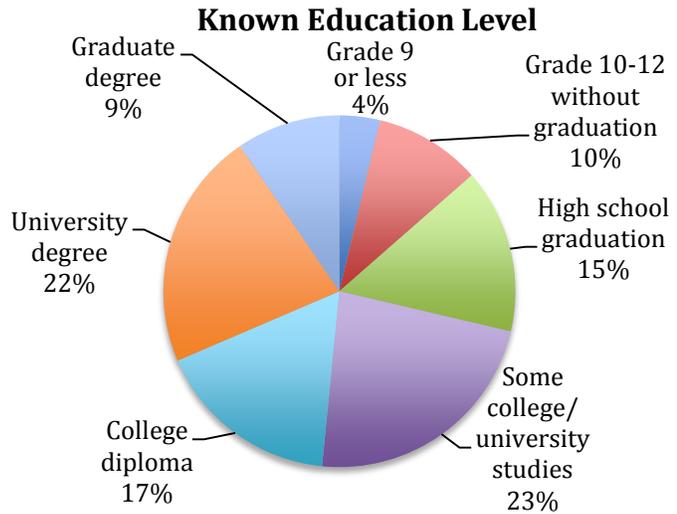
- with varying education and literacy levels (from low levels of formal education to highly knowledgeable self-representing individuals);
- with varying income levels;
- of varying ages; and,
- from diverse cultural backgrounds and with varying English language abilities.

VJAC clients represent this diversity. Following is a demographic picture of VJAC clients as of December 31, 2012.

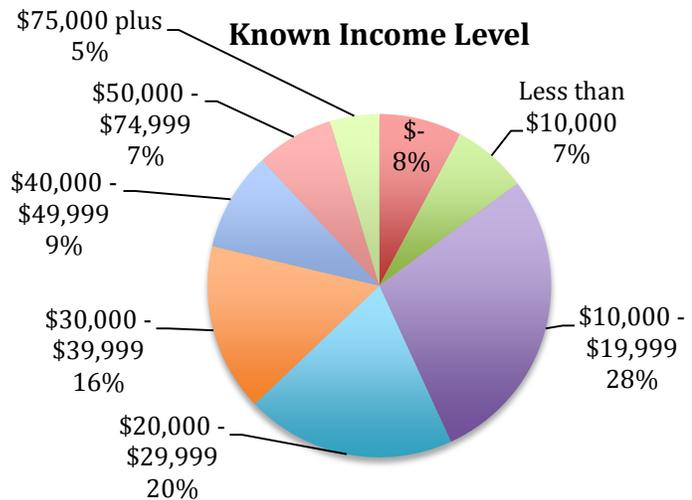
Gender	# clients	% of total
Male	2603	48%
Female	2801	52%
	5404	100%

VJAC clients are composed of an almost equal number of men and women and have a range of education and income levels.<sup>2</sup>

Education	# clients
Grade 9 or less	142
Grade 10-12 without graduation	374
High school graduation	577
Some college/university studies	873
College diploma	647
University degree	835
Graduate degree	364
Info not provided	1592
	5404



Income	# clients
No income	171
Less than \$10,000	155
\$10,000 - \$19,999	621
\$20,000 - \$29,999	433
\$30,000 - \$39,999	347
\$40,000 - \$49,999	205
\$50,000 - \$74,999	160
\$75,000 plus	102
No info	3201
	5404



<sup>2</sup> The demographic data includes information on Self-Help Information Service (SHIS) clients, who may have higher education and income than other JAC clients given financial eligibility requirements that apply to certain Family services, but do not apply to SHIS.

## 2. VJAC Services

The VJAC offers assistance with a range of family and civil problems. Clients can get help with family problems about divorce and separation, guardianship, child and spousal support, parental responsibilities, parenting issues, protection orders and other family justice matters. Civil problems that clients can get help with include issues related to income security, housing (both rental and owned), employment, debt or money, immigration and refugee matters, human rights, consumer issues, and wills and estates. Some services are subject to an income test.

The VJAC does not provide services related to criminal issues, small claims court forms and filings and certain other specific legal issues.

Services offered by the VJAC depend on the nature of the client's problem(s) and his or her need(s) and may include one or a combination of the following:

- *information and self-help services*
- *mediation and dispute resolution:*
  - for family issues through a trained VJAC Family Justice Counselor (FJC) or Child Support Officer (CSO), or referral to private mediators for clients who choose mediation assistance for a family law dispute that is outside the scope of the FJC (e.g., division of property)
  - for civil issues by referral to a private mediation roster
- *legal help:*
  - including legal advice on family law issues a) through Family Advice Lawyers located on-site in the VJAC, and b) through Family Duty Counsel located on-site during days when the Provincial or Supreme Court is in session, whose priority is to provide advice to clients who have matters in court that day
  - legal advice on civil law matters, including affidavits and court form completion and will preparation, provided through on-site free legal advice clinics and workshops
  - access to limited legal representation and referrals to legal representation and legal aid
- *referral:*
  - to appropriate community services and government agencies offering services and supports relevant to the client's justice problem.

In terms of the broad issue category, 72 percent of individuals came to the VJAC with a family problem, 27 percent came to the VJAC with a civil problem and two percent came to the VJAC with both a family and civil problem (total numbers for the year ending December 31, 2012):

<b>Issue Category</b>	<b># Distinct Clients</b>	<b>% of total</b>
Family	4018	72%
Civil	1494	27%
Both	86	2%
	5598	100%

Research<sup>3</sup> indicates that individuals needing help with justice issues are often facing a cluster of issues simultaneously. However, the experience from the JACs, including the VJAC, is that clients access JAC services to address a specific issue rather than dealing with their entire cluster of issues at the same time. Accordingly, the above information reflects the issue the client presented with when he or she first arrived at the VJAC.

### 3. VJAC Service Delivery

Every VJAC client is assessed to determine his or her needs. Each new client is asked to complete a short “client intake” form providing basic information on the client and his or her circumstances.

Some clients may simply need information and access to Self-help and Information Services (SHIS). There is a high volume of traffic for SHIS services from clients who are primarily self-representing litigants already involved in a Supreme Court action. Clients who choose the “self-help” route have access to public legal education resources and information located at the VJAC and may obtain help from SHIS staff as well as having access to computers, facsimile machine, photocopiers and workspace.

More typically, clients will meet with a JAC Interviewer to identify and discuss their problems and the range of services and referrals available; it is up to the client as to whether they avail themselves of any or all services discussed. The client may be referred to a VJAC Family Justice Counsellor (FJC) or the Civil Resource Coordinator (CRC)<sup>4</sup> for further assessment and provision of services.

For clients with family issues the FJC will undertake a further family needs assessment, provide information and advice, and may provide family mediation and dispute resolution services directly to clients. The FJC may also make referrals to the VJAC Child Support Officer (CSO), or to the on-site Family Maintenance Enforcement Program, or for legal advice, as well as to community family service providers as appropriate. For clients with civil issues, the CRC provides information and help to clients in further identifying their civil justice problem(s) and ways to address their problem(s). The CRC works closely with on-site service providers in making referrals to legal advice clinics, dispute resolution and mediation services, and with community service providers in assisting clients to connect with other services that may help them resolve their issues. An FJC may refer a client to the CRC for help with a civil problem, and the CRC may refer a client to an FJC for help with a family problem. Referrals are intended to create synergy between staff as well as with service provider partner agencies, and to support the team problem solving approach on which the JAC is built.

Key to the integrated model of service delivery at the VJAC is the co-location in the VJAC of several service provider partner agencies including Access Pro Bono, the Credit Counselling Society, the Family Maintenance Enforcement Program, the Legal Services Society and Mediate BC; many more agencies provide services to VJAC clients by referral.<sup>5</sup> The text box on the following page provides further description of the on-site service providers and the services they provide.

Appendix 1 is a diagram illustrating the client flow in the VJAC.

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<sup>3</sup> “Justiciable Problems and Access to Justice in Canada”, Ab Currie, Osgoode Hall Roundtable on Legal Aid, Toronto, 2007

<sup>4</sup> The VJAC is the only JAC with a CRC

<sup>5</sup> List of VJAC agencies, <http://www.ag.gov.bc.ca/justice-access-centre/vancouver/agencies/index.htm>

## VJAC On-site Service Providers

Access Pro Bono (APB) – is a pro bono law organization that operates daily free legal advice clinics at the VJAC for clients with civil issues. Volunteer clinic lawyers provide legal advice to eligible low-income and at-risk clients in four half-hour appointments. Clients are matched with a lawyer based on the client's problem and the lawyer's area of expertise. Clients needing additional assistance may book a further legal clinic appointment, receive other VJAC services or request legal representation through the APB roster program.

In partnership with the federal Department of Justice and provincial Ministry of Justice, APB operates a free will preparation clinic at the VJAC. APB trains volunteer lawyers and articling students in wills and estate practice targeted at low-income individuals and seniors in vulnerable financial situations. The APB-trained lawyers and articling students then work with clients to draft and execute simple wills, representation agreements and powers of attorney.

APB also partners with the Law Courts Centre and the provincial Ministry of Justice to operate a weekly paralegal clinic where volunteer paralegals, under the supervision of APB lawyers, assist low-income clients to draft affidavits and court forms required for civil matters in the BC Supreme Court. Clients are encouraged to combine the services received through the Paralegal Program with those provided by the VJAC's SHIS.

As well, APB operates its Commercial Trial Assistance Project at the VJAC, which offers pro bono legal advice and subsequent reduced-rate legal representation at trial for low-to-middle income commercial litigants referred by the VJAC and court registry staff.

Credit Counselling Society (CCS) – is a nonprofit, charitable organization providing free and confidential credit counselling. A Credit Counsellor is available in person at the VJAC to meet with VJAC clients and discuss their financial situation.

Family Maintenance Enforcement Program – is responsible for monitoring and enforcing maintenance orders and agreements for child support and spousal support. It has an Enforcement Officer available full time in the VJAC to meet with VJAC clients interested in enrolling in the program, to provide information on the program and to assist parents in the development of voluntary payment plans to address arrears.

Legal Services Society Family Advice Lawyers and Duty Counsel – are available at the VJAC to offer free family legal advice and limited assistance in court. Family Advice Lawyers provide free legal advice to financially eligible VJAC clients by appointment. VJAC-referred clients may receive up to three hours of advice on issues concerning parenting arrangements, child support, tentative settlement agreements, court procedures and property (limited). Family Duty Counsel are scheduled on days when Provincial or Supreme Court is in session and speak for financially eligible clients in court on simple matters such as adjournments, consent and emergency restraining orders, and uncontested custody, access, and support hearings.

Mediate BC – is an organization offering mediation information, services and programs for individuals, families and organizations, as well as mediation training. It has a Civil Mediation Advisor (CMA) located in the VJAC. The CMA provides information, support and expertise to identify problems that may be amenable to resolution through civil mediation. Where mediation is chosen by a VJAC client, the CMA provides information, assessment and guidance to the client, engages other parties and coordinates a referral to a private mediator.

## C. Vancouver JAC Evaluation

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### 1. VJAC Evaluation Framework

A comprehensive evaluation framework for the VJAC was developed in 2010, supported by a VJAC evaluation plan developed in August 2011.<sup>6</sup> Under both the framework and plan, the focus was on assessing outcomes or the impact of VJAC in terms of helping clients to receive the services they need to resolve their family and civil justice problems. Key outcomes to be measured included: service to clients and court use or impact on court time.

The broad objectives for the VJAC evaluation were:

1. To assess how well the VJAC integrated service delivery model is working. Is the co-location of VJAC staff and on-site or internal service providers working and has the VJAC built effective relationships with off-site or external service providers to support referrals to services not directly provided by VJAC staff? (Formative – assessment of program implementation and processes.)
2. To assess whether clients receive services from the VJAC that help them to address their justice problems. Do assessment services, service coordination, and provision and referral to information services, legal advice services and dispute resolution services meet client needs and help them to address their justice problems? (Summative – assessment of whether the program achieved its intended objectives.)
3. To assess the impact that being a VJAC client has on the use of the court system by that client. (Summative – assessment of whether the program achieved its intended objectives.)

These objectives were in turn converted into the following evaluation questions, which were used to guide the development of the Client Surveys and Court Use Study (outlined below):

1. How well is the model of co-location working for clients of the VJAC staff and on-site service providers?
2. Has the VJAC built effective relationships with off-site or external referral service providers?
3. Do VJAC clients receive services from the VJAC that help them to address their justice problem(s)?<sup>7</sup>
4. Do VJAC clients use the court system (in terms of court applications, court appearances, and court hours) less overall than non-VJAC clients?
5. Are VJAC clients better prepared when they do need to go to court?

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<sup>6</sup> *An Evaluation Framework for the Vancouver Justice Access Centre*, October 2010 (drafted by Jillian Hazel, MPA program), and *Vancouver Justice Access Centre Evaluation Plan*, August 2011 (prepared by Kim Thorau for Irene Robertson)

<sup>7</sup> Recognizing that clients may have needs and are accessing resources from other services in addition to the VJAC

## 2. Client Satisfaction Surveys

### 2.1 Method and Design

A telephone survey of VJAC clients was conducted by BC Stats in February 2012<sup>8</sup> and then again in February 2013. In both surveys, clients who had only accessed the Self-help and Information Services (SHIS) were excluded.

The first survey included clients who contacted the VJAC for service anytime from October 1, 2010 through September 30, 2011 and who had indicated their consent to release their information for the purposes of evaluation. A total of 105 clients completed the telephone survey, resulting in an overall response rate of 42 percent. Respondents' gender split, income levels and education were similar to those of the VJAC client base; clients with family issues were slightly over-represented among survey respondents compared to the client base.

Clients eligible for the second survey received service at the VJAC between February 1 and October 31, 2012. A total of 402 clients completed the telephone survey, resulting in an overall response rate of 23 percent. Women and clients with post-secondary education were slightly over-represented in the survey compared to the 2012 VJAC client base. Clients with both family and non-family issues were over-represented in the second survey (15 percent versus two percent in the client base). Survey respondents and JAC clients had similar income levels.

There were four general areas of measurement in the surveys:

- *issue identification* — containing questions about what type of issue(s) brought clients to the VJAC – family, civil or both – and, if a family issue, whether they recalled working with the Family Justice Counselor and whether this was useful.
- *client service and referrals* — containing questions about information provided, referrals to VJAC staff, and referrals to services outside the VJAC to assess the effectiveness of the integrated model of service delivery at the VJAC.
- *use of court/tribunal after VJAC services* — containing questions about whether clients ended up at court or tribunal hearing; and, whether and how the VJAC was helpful in their court or tribunal experience.
- *overall satisfaction* — which included questions to gauge VJAC clients' overall satisfaction with the quality of service delivered, their overall experience and whether they would recommend the VJAC to others.

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<sup>8</sup> Vancouver Justice Access Centre, *Client Survey 2012*, Executive Summary Report, BC Stats, March 2012

## 2.2 Results of Survey

Following is a table outlining key findings by survey:

Question	2012 Survey		2013 Survey	
	Percentage	Mean Score <sup>(1)</sup>	Percentage	Mean Score <sup>(1)</sup>
<i>Overall Satisfaction, survey respondents indicated...</i>				
• overall satisfaction with quality of service delivery at the VJAC	69	72	70	72
• they would recommend the VJAC's services to others <sup>(2)</sup>	77	80	90	NA
• agreed or strongly agreed that the staff helped them to clarify their issues	68	71	67	72
• they were provided with useful information	71	73	70	72
• VJAC staff helped them to identify ways to resolve their justice problems	61	69	64	68
<i>Family Assessment (issue Identification and clarification), respondents with family issues...</i>				
• recalled working with a Family Justice Counsellor on a family assessment	61	NA	56	NA
• of those who recalled the assessment, agreed or strongly agreed that the assessment was useful to them	72	75	68	70
<i>Referrals, survey respondents...</i>				
• recalled receiving referrals to other staff at the VJAC	65	NA	52	NA
• who recalled receiving referrals to other VJAC staff, indicated:				
○ that they had followed up on the referral	78	NA	77	NA
○ and found the referral to be useful	73	75	77	79
• recalled being referred to services outside the VJAC	42	NA	34	NA
• who recalled receiving referrals to services outside the VJAC, indicated:				
○ that they had followed up on the external referral	70	NA	73	NA
○ and found the referral to be useful	73	78	66	69

<i>Use of Court after VJAC services, respondents...</i>				
• agreed that the VJAC helped them resolve their justice problem so that they did not need to present their case at court or a tribunal hearing <sup>(3)</sup>	47	54	49	57
• went to court after visiting the VJAC <sup>(4)</sup>	31	NA	31	NA
• who went to court did so most often:				
○ because the other party or the court initiated the action	27	NA	8	NA
○ to obtain a resolution	23	NA	28	NA
○ to ensure that their agreement was followed	17	NA	2	NA
• who went to court did not have a lawyer representing them	67	NA	58	NA
• who went to court after the VJAC:				
○ said their court case went more smoothly than if they had not gone to the VJAC <sup>(5)</sup>	61	NA	56	63
○ said they were better prepared to present their case in court because they had been to the VJAC	55	58	64	67
○ said that going to the VJAC made their court hearing shorter than if they had not been to the VJAC <sup>(6)</sup>	24	NA	50	57

(1) Mean scores are reported for 5-point scale questions; score is out of 100. Mean scores are not reported for Yes/No or multiple choice questions

(2) Note: 2012 survey provided a 5-point scale for responses; 2013 was a Yes/No/Don't Know response

(3) Note that this question was asked of all respondents in the 2012 survey but only of respondents who had not gone to court after the VJAC in the 2013 survey

(4) Note that the question in the 2012 survey did not specify going to court AFTER receiving JAC services; results were adjusted using the responses to another question to remove respondents who indicated that they went to court BEFORE the JAC. The 2013 survey question specifically asked about court activity AFTER JAC services were received

(5) In 2012 response was Yes/No/Don't Know; in 2013 response was on a 5-point scale

(6) In 2012 response was Yes/No/Don't Know; in 2013 response was on a 5-point scale

The survey also asked respondents about whether they had been to an administrative tribunal after visiting the VJAC. Only 13 respondents in the 2012 survey and nine respondents in the 2013 survey indicated that they had been to a tribunal after visiting the VJAC. Of those, 31 percent in the 2012 survey and 67 percent in the 2013 survey indicated that going to the VJAC made their case go more smoothly than if they had not gone to the VJAC; and, 40 percent in the 2012 survey and 67 percent in the 2013 survey said that they were better prepared to present

their case at the tribunal hearing because they had been to the VJAC. Due to the small numbers of respondents who had been to a tribunal, these results should be treated with caution.

For the 2013 survey, responses to the questions related to court activity were analyzed by whether the respondent had a lawyer to represent them in court. This analysis showed that for two of the three measures, unrepresented litigants were more likely to find the VJAC services to be helpful than those who had a lawyer handling their case. This indicates that VJAC services are particularly helpful for self-represented litigants.

	Did you have a lawyer represent you in court?			
	Yes		No	
	% Positive	Mean Score	% Positive	Mean Score
I think that going to the Vancouver Justice Access Centre <u>made my time in court shorter</u> than if I had not been to the Justice Access Centre	41.3%	54	55.1%	59
I think that going to the Vancouver Justice Access Centre <u>made my court case go more smoothly</u> than if I had not been to the Justice Access Centre	50.0%	62	59.4%	64
I think that going to the Vancouver Justice Access Centre <u>made me better prepared for my court appearance</u> than if I had not been to the Justice Access Centre	64%	69	63%	66

The surveys also asked respondents a number of open-ended questions, including about how helpful the family assessment was and how it could be made more helpful; if the VJAC could expand the services that it offers what other services would be most helpful; and, whether they had any general comments about their experience at the VJAC.

With respect to questions about the family assessment process about 65 percent of comments (76 of the 117 comments) indicated that the family assessment process was helpful because it provided information generally and about the process and what to do, answered questions, and helped clarify issues and provide options. In the words of respondents, “I got information that I did not even know was available to me”; “It allowed me to understand the steps I would take”; “It gave me a lot of information, pointed me in the right direction, cleared my mind, and suggested all the possible options so that I didn’t feel as lost.”

With respect to other services the VJAC could offer, about 25 percent (65 of 255 comments) suggested legal advice, assistance and information, about 16 percent (40 of 255) suggested family assistance, and 9 percent (22 of 255) suggested civil assistance. Specific comments from respondents included: hiring more staff, including adding more legal services<sup>9</sup> and access to lawyers to provide advice in plain language; “more advertising about the organization especially

<sup>9</sup> Note: 3,492 individual legal appointments were available to VJAC clients in 2013/14: LSS Family Advice and Duty Counsel lawyers – 2,400; APB Civil Advice Clinics – 728; Paralegal Clinics – 208; and APB Wills and Estates Clinic – 156.

for people who are not computer literate and for people from other countries and who speak a different language”; and “more education, including how to deal with family issues with children and issues with raising a family with one parent.”

With respect to any other comments they may have regarding their experience at the VJAC, about 45 percent (108 out of 283) of client comments offered were positive about the staff (staff were “helpful,” “courteous,” “understanding”), about the services (“informative,” “helpful,” “prompt,” “affordable”) or about how the client felt about the service (“appreciative,” “satisfied,” “good experience”). About 25 percent (71 of 283) of comments were negative, principally about the wait times for service, in particular for phone service, or that the service did not help or fit their needs.

In summary, the client surveys indicate a strong degree of satisfaction among VJAC clients with the services of the VJAC (70 percent in 2013, 69 percent in 2012), including that they were: provided useful information (70 percent, 2013 and 71 percent, 2012); helped in clarifying their issues (67 percent, 2013 and 68 percent, 2012); and, helped to identify ways to resolve their justice problems (63 percent, 2013 and 61 percent, 2012). With respect to the effectiveness of the integrated model of service delivery, referrals to VJAC staff and to services outside the VJAC were generally followed up on by VJAC clients and found to be useful (in 2013, 77 percent of internal referrals were followed up on and 77 percent of referrals were found to be useful; 73 percent of external referrals were followed up on and 66 percent of referrals were found to be useful). Almost half of the survey respondents agreed that the VJAC helped them to resolve their justice problem so that they did not need to go to court and of those who did go to court the majority said that their court case went more smoothly (56 percent, 2013), that they were better prepared (64 percent, 2013), and that their court hearing was shorter than if they had not been to the VJAC (50 percent, 2013).

### 3. Court Use Study

#### 3.1 Overview of Court Use Study Methodology

A research study to assess the impact of the VJAC on VJAC clients’ use of courts was completed in March 2014.<sup>10</sup>

The purpose of the study was to compare the court use of a control group whose members had not received services from the VJAC with a client group whose members had received family services from the VJAC.<sup>11</sup> FIS2<sup>12</sup> and Civil Electronic Information System (CEIS) data, was used to develop a sample group of VJAC clients (VJAC Client Group: sample size 1,616) and a control group of Robson Square Provincial Court or Vancouver Supreme Court users who had not accessed JAC services or other Family Justice Services Division services (Control Group: sample size 4,779). CEIS data was then used to compare the court activity of the VJAC Client Group against the Control Group for the period between December 31, 2011 and December 31, 2013.

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<sup>10</sup> VJAC Clients - Use of Court, Research Study Plan August 8, 2012, v. 7;

Vancouver Justice Access Centre (VJAC) - Court Use Study March 12, 2014 FINAL DRAFT

<sup>11</sup> Civil clients were not included in the VJAC client group sample because of the difficulty in knowing which court or tribunal they would go to and that there were no civil clients included in FIS2 until January 2013, causing a problem with the cross matching with CEIS.

<sup>12</sup> The case management system used by Family Justice Services Division, Ministry of Justice.

For both the VJAC Client Group and the Control Group, CEIS records related to family court actions were reviewed.

Court use was measured in four ways:

1. Whether or not VJAC Client Group members had any court activity;
2. For cases with court activity, the average number of applications filed for each case by court level;
3. For cases with court activity, the average number of court appearances by court level; and,
4. For cases with court activity, the average amount of time spent in court, by court level.

The working hypothesis was that the VJAC Client Group would have less court activity than the Control Group.

### 3.2 Results of Court Use Study

The results of the study show two effects: diversion and court activity.

#### Diversion

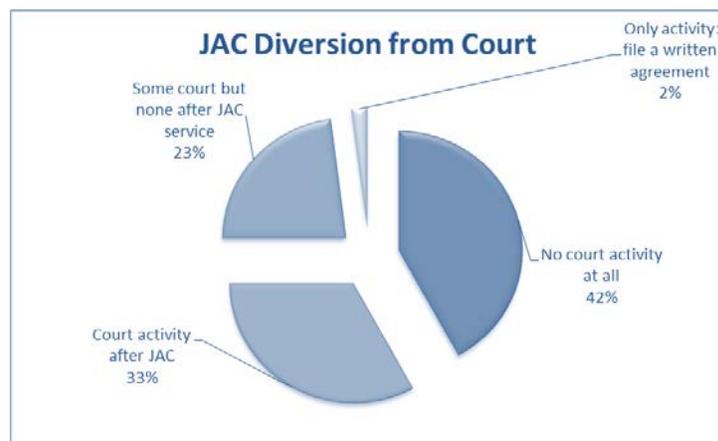
There are two ways to consider diversion: clients who did not go to court at all, and clients who did not go to court after having been to the JAC.

Of the 1,616 JAC clients looked at, there was a CEIS match with parties to family court files for 58% (939). Stated another way, 42 percent (677) had no match in CEIS for the period considered. These clients are considered to have been diverted from court.

Some of the 58 percent of JAC clients who were found in CEIS could also be considered to be diverted, because:

- their only court activity was the filing of written agreements (2 percent), or
- they had court activity before coming to the JAC but were not a party to new family applications after the last date of JAC service (23 percent).

Within these parameters, the diversion rate is 67 percent, which includes 23 percent who had some court activity before coming to the JAC, but made no court applications (or were not a party to any applications) after their service at the JAC.



## Court Activity

There were 191 JAC clients who had court activity after their last date of service at the JAC (this group excludes any client who had court activity before going to the JAC). The court activity for this group of clients was compared to the court activity for the 3,777 cases in the Control Group that had court activity in 2011 after their 2011 application had been filed (this group excludes any cases that had court activity before their 2011 application).

The following table summarizes the court use for both the VJAC Client Group and the Control Group by the level of court. A further calculation was done to compare the Control Group to the VJAC Client Group in terms of a percentage.

### Comparison of Court Use by Court Activity, Group and Level of Court

	VJAC Client Group		Control Group		% Difference between VJAC Client and Control Groups	
	Provincial Court	Supreme Court	Provincial Court	Supreme Court	Provincial Court	Supreme Court
Average Court Activity per Case						
Court Applications <sup>1</sup>	2.6 n = 67	1.7 n = 122	1.6 n = 345	1.5 n = 3,432	-38%	-13%
Court Appearances <sup>2</sup>	3.9 n = 46	3.5 n = 27	3.8 n = 89	4.6 n = 782	-3%	30%
Hours Spent in Court <sup>3</sup>	1.8 n = 46	1.5 n = 27	1.0 n = 89	4.3 n = 782	-44%	200%

Data Source: CEIS\_ODS, CMIS, March 4, 2014

Notes:

1. All cases with an application are counted in the average count of Court Applications per case calculation. Therefore, the average does not consider zero values.
2. Cases considered in the average count of Court Appearances per case are a subset of cases with an application where cases have at least one scheduled court appearance. Therefore, the average number of Court Appearances per case calculation does not consider cases with no appearances (zero values).
3. Cases used to calculate the average Hours Spent in Court per case figure are the same subset of data as the one used to calculate average Court Appearances per case. However, if the appearance duration is blank or recorded as zero minutes, then zero values will be considered in the average

Results were broken out for Provincial and Supreme Courts. For Provincial Court, the control group had less court activity than JAC clients: 38 percent fewer court applications per case (1.6 versus 2.6); 3 percent fewer court appearances (3.8 versus 3.9); and 44 percent fewer court hours (1.0 versus 1.8). For Supreme Court, however, the control group had 13 percent fewer court applications than JAC clients (1.5 versus 1.7), but 30 percent more appearances (4.6 versus 3.5) and 200 percent more court hours per case (4.3 versus 1.5).

The difference in results between Provincial and Supreme Courts may be due to the operation of Rule 5 of the Provincial Court (Family) Rules, which requires parties to a Family Law Act<sup>13</sup>

<sup>13</sup> Or, prior to March 2013, a Family Relations Act application.

application to complete an appointment with a Family Justice Counsellor prior to a first court appearance. Rule 5 only applies to Provincial Court matters in designated court registries, including the registry at Robson Square where the Vancouver JAC is located. Because of Rule 5, the vast majority of Vancouver provincial family court litigants must come to the JAC. There is no comparable process for the Supreme Court.

Rule 5 may have impacted the Court Use Study results in the following ways:

- Lower conflict families, with less complex cases, may well have been diverted from court as a result of their Rule 5 appointment and any subsequent JAC services. Those who did proceed to Provincial Court after meeting with JAC staff may be higher conflict families, and/or those with more complex issues, with the result that the non-diverted cases required more court appearances and time than the average mix of cases where Rule 5 does not operate.
- The control group for Provincial Court must have been comprised largely of cases exempt from Rule 5 — either they involved an application for child support by the Ministry of Social Development and Social Innovation for assigned cases,<sup>14</sup> or had “urgent and special circumstances” which required an immediate court appearance. These types of cases could well require fewer court appearances and time than the average mix of cases where Rule 5 does not operate.

## D. Conclusions

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The VJAC evaluation activities designed and undertaken to date are aimed at answering the questions of:

- how well the VJAC integrated service delivery model is working;
- whether clients are receiving services from the VJAC that help them to address their justice problems; and,
- whether being a VJAC client has an impact on the use of the court system and processes.

The client surveys show that there is a high degree of overall client satisfaction with the VJAC. Useful information is provided to clients, and clients are helped by VJAC staff to clarify their issues and resolve their justice problems. Referrals to other staff in the VJAC and to services outside the VJAC are followed up on and found to be useful. For about half of the clients responding to the survey, the services of the VJAC helped them to resolve their justice problems without going to court; and, where they did go to court, the majority of respondents indicated that a) they were better prepared and b) proceedings were smoother and shorter as a result of their JAC experiences.

The Court Use Study supports the survey findings that the VJAC is having an impact on court use and justice processes by VJAC family clients. VJAC clients who had not started a court process are being diverted from the court and, as well, a portion of those who had started a court process are being diverted from court (23 percent). Also, VJAC clients who are engaged in court

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<sup>14</sup> BC legislation requires that parents in receipt of income assistance assign their rights to child support to the Crown. As the Crown is a party to child support applications in such cases, these cases are exempt from Rule 5.

activities or processes are making fewer Supreme Court applications and spending less time in Supreme Court than non-VJAC clients. It is recommended that the court use analysis be repeated in the future, tracking the same dataset to ensure that initial results continue to be valid and reliable, and to allow decision-makers to distinguish between short- and long-term observations.

# Appendix 1 – VJAC Client Flow

