



**Evaluation of the  
Expanded Family Duty Counsel  
Process Evaluation Report**

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Prepared for:

The Legal Services Society of British Columbia

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## **Executive summary**

This report presents the process evaluation findings for the Legal Services Society (LSS) of British Columbia's Expanded Family Duty Counsel (EXP FDC) pilot project. The pilot expands the Family Duty Counsel services at the Victoria Justice Access Centre (JAC) through features such as setting appointments so that clients can work with the same lawyer throughout the service; increasing the number of available service hours per client; and providing more administrative support to Duty Counsel.

The evaluation looked at the implementation of the pilot, and it also provided an assessment of the effectiveness and efficiency of the pilot. This report covers the pilot project's activities from September 24, 2014 to June 5, 2015. The lines of evidence for the process evaluation included a review of key documents and the project database; interviews with key informants (LSS personnel and external stakeholders); and interviews with clients who had received services from the pilot. The conclusions and recommendations for the process evaluation are summarized below.

### **Conclusions on implementation of the EXP FDC**

**Stakeholders generally agree that the EXP FDC pilot project has been implemented as planned.** The main internal challenges identified in implementing the pilot included increased paperwork for Roster Duty Counsel, difficulties managing client expectations for drop-in services and in accommodating drop-in clients, and the time required to screen for lawyer conflicts.

**Some implementation challenges identified that affect EXP FDC clients** include long waiting times for appointments, some client disorganization (e.g., failure to attend appointments or prepare documents), a perceived lack of program support for people with mental health issues or without computer skills, and an uneven gender split among the Roster Duty Counsel affecting client ability to choose the gender of their representative.

**The JAC resource room has been a major benefit to the pilot** by assisting clients in preparing legal documentation. The availability of computers and printable forms was especially important for people with low incomes. The integration between EXP FDC services and the resource room was seen as a key success for the pilot project.

**The pilot has been aided by its close proximity to other services within the JAC, such as Mediate BC and FJCs.** Both internal and external stakeholders reported that the process of referring clients to other services has been made easier due to the physical co-location of the services.

**There were mixed views about the resources available for the EXP FDC.** Although the increase in service hours per client from three to six was seen as a benefit, there were concerns about the long wait times for appointments, which were reported as being anywhere from one to four weeks. Interviewees also expressed concerns about slow services on list days (Thursdays), due to a high volume of clients, with the courts sometimes standing down while waiting for clients to complete their interactions with EXP FDC.

**Despite the increase in service hours per client, only 41 clients (4% of the database) were found to have used more than three hours.** However, it is not expected that every client will use more than three hours; rather, the increase in available hours gives the EXP FDC more flexibility to provide services based on the needs of clients. In addition, with the Roster Duty Counsel attempting to help clients reach early resolutions in their legal matters, much of the advice would likely occur in a compact time period.

**Reaction to the EXP FDC model has been mostly positive,** and the majority of stakeholders believe that it is an overall improvement compared to the previous model. However, some respondents (especially external stakeholders) did not have detailed knowledge about the model.

**Some considerations for implementing the EXP FDC model at another site were identified,** including the need for extensive training on new paperwork; clear communication of roles and responsibilities; balancing the roster to ensure continuity of service; and acquiring the necessary office space and resources.

### **Conclusions on early indications of outcomes**

The intent of the process evaluation in considering early progress toward the achievement of outcomes was primarily to assist in identifying any potential pilot improvements and ongoing quality assurance. As such, conclusions on early indications of outcomes are summarized briefly below in point form:

- ▶ Most stakeholders believe that the EXP FDC model has increased the accessibility of family law services for low-income individuals.
- ▶ Some client barriers were identified, such as appointment wait times, a lengthy intake process, and reduced availability for drop-in services.
- ▶ Most clients agree that the hours of operation for the EXP FDC are convenient.
- ▶ The EXP FDC is making strong efforts to maintain continuity of counsel, although it is not always practical to schedule clients' appointments with the same lawyers over time. Plus, most interviewed clients reported that they were not able to see the same lawyer over time.
- ▶ The majority of clients interviewed for the process evaluation appear satisfied with the services provided by the EXP FDC pilot project, and many believe that the pilot helped them understand and engage with the family justice system.
- ▶ The process evaluation could not assess the extent to which the EXP FDC helps clients reach early resolutions.
- ▶ Integration between the EXP FDC and other services is largely informal, but effective, and clients frequently receive referrals to other services.

### **Recommendations to further enhance the implementation process**

**Recommendation 1:** Consider converting paper forms to electronic forms to increase the efficiency of data entry.

**Recommendation 2:** Assess the situation on list days and determine if another Duty Counsel shift is required.

**Recommendation 3:** Provide refresher training for Roster Duty Counsel to ensure consistency.

**Recommendation 4:** Provide a list of external resources (legal and non-legal) for the Roster.

## **1.0 Introduction**

This report presents the process evaluation findings for the Legal Services Society (LSS) of British Columbia's Expanded Family Duty Counsel (EXP FDC) pilot project. This evaluation is one of five evaluations being conducted of pilot projects implemented under the Justice Innovation and Transformation Initiatives (JITI).

The EXP FDC evaluation includes a process evaluation, with a focus on implementation and early progress toward achieving outcomes, and a summative evaluation, which will focus on outcomes achieved. This report presents the findings of the process evaluation and covers the pilot project's activities from September 24, 2014 to June 5, 2015.

## **2.0 Brief overview of EXP FDC**

Family Duty Counsel is a service that provides brief in-person legal advice to financially eligible clients with family law issues. Duty Counsel can provide advice about parenting issues, guardianship/custody, child support, tentative settlement agreements, court procedures, and property issues (to a limited extent). In addition to advising on these matters, Duty Counsel can speak on a client's behalf in court for simple matters. However, they can only provide services for a limited time, and they cannot represent clients at trial.

Duty Counsel are available by appointment on Monday, Tuesday, Wednesday, and Friday, from 9:00 am to 5:00 pm. On Thursdays (family list days), there are two Duty Counsel available in Provincial Court to assist clients who have court matters. The Court Registry maintains a list of clients who are attending court, and Duty Counsel provide these clients with legal advice and with information on how to address the court and present evidence. There are no office appointments booked on Thursdays, because both Duty Counsel are in court.

Through JITI funding, the program is being expanded through a pilot project to provide greater continuity of advice and new services. The pilot is located in the Victoria Justice Access Centre (JAC). The project implements a model of Family Duty Counsel which includes the following new or modified features:

- ▶ **An appointment-based approach:** The EXP FDC will make efforts to schedule appointments so that clients may work with the same lawyer throughout the service, ensuring greater continuity; in the old model, the service was only accessible by drop-in, and clients would usually speak with a different lawyer during each visit.
- ▶ **Up to six hours of service per client:** Under the old model, clients received a maximum of three hours of service.
- ▶ **Expanded hours:** The new model will provide 70 overall hours of Duty Counsel service per week, up from the previous amount of 43.
- ▶ **Administrative support:** A full-time Pilot Administrator will support the project in various ways, from answering phones to scheduling appointments and maintaining client files; this support was not available under the old model.
- ▶ **Coaching for clients to represent themselves in court:** Duty Counsel will be able to instruct clients on aspects of the court process, such as how the client should address the judge, and how the client should present their case. As of the process evaluation, the

formal coaching model is still being developed; coaching services were not available under the old model.

- ▶ **Articling student support:** Students will assist Duty Counsel by performing research on cases; attending list days to help clients; preparing court documents; and appearing in court (as provided by the Law Society). As of the process evaluation, the articling student model is still being developed; the old FDC model did not include an articling student.

As stated in its Project Charter, the objectives of the EXP FDC are the following:

- ▶ increase clients' understanding of their legal problems at the earliest opportunity
- ▶ increase clients' understanding of the family justice system
- ▶ increase clients' ability to resolve their family law problems
- ▶ improve clients' ability to use Public Legal Education and Information (PLEI) tools
- ▶ increase clients' ability to make meaningful and effective appearances in court
- ▶ increase the availability of Family Duty Counsel and advice service at the courthouse and the Victoria JAC
- ▶ increase continuity of service for clients
- ▶ increase the future capacity of family law practitioners and legal aid practitioners
- ▶ increase opportunities for professional training (articles) for students (desired objective)

The EXP FDC pilot project is directly served by 12 personnel:

- ▶ a Lead Family Duty Counsel (Lead Lawyer), who manages the EXP FDC site, supports the Roster Duty Counsel, supervises the Pilot Administrator, and provides EXP FDC services to clients
- ▶ a Pilot Administrator, who is responsible for answering phones, determining the urgency of client matters, determining the eligibility of clients for EXP FDC services, creating and maintaining client files, scheduling appointments for Roster Duty Counsel, and many other assorted duties
- ▶ 10 Roster Duty Counsel, who provide EXP FDC services to clients, and who work about one full day shift every two weeks

In the future, the EXP FDC will include an articling student, whose anticipated role is described above. The student role was formerly planned as a specific role for the EXP FDC pilot project, but in May 2015, a decision was made to adopt a centralized articling student model within the overall JITI initiative.<sup>1</sup> This role is still in development, and will be examined in the summative evaluation.

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<sup>1</sup> LSS. (2015). *02 EXP FDC – Expanded Family Duty Counsel Decision Record*.

Clients may contact or be referred to the EXP FDC in a number of ways. In most cases, regardless of how the client contacts or is referred to the program, the EXP FDC Pilot Administrator must complete a triage process with the client to collect information and determine if their case is appropriate for the pilot project. Clients may do the following:

- ▶ approach the EXP FDC directly in court, in which case the Lead or Roster Duty Counsel collects information on paper forms and provides the forms to the Pilot Administrator for processing; there is no triage of clients who have court that day
- ▶ contact the EXP FDC at the pilot project offices in the JAC, at which point the Pilot Administrator will conduct triage
- ▶ be referred to the EXP FDC through LSS Intake; intake staff assess clients to determine their appropriateness for various LSS services, including the EXP FDC, and if a client is referred through LSS Intake, they must still be triaged by the EXP FDC Pilot Administrator
- ▶ be referred to the EXP FDC through another LSS service; clients who are receiving other LSS services will sometimes be referred to the EXP FDC for legal advice, and the pilot or service is responsible for contacting the EXP FDC on behalf of the client, but again, the client must still be triaged by the EXP FDC Pilot Administrator before receiving its services
- ▶ be referred to the EXP FDC through Family Justice Counsellors (FJCs) or another agency; FJCs will often refer clients to LSS Services for legal advice or other legal services, in which case, the FJC or other agency contacts the EXP FDC, whose Pilot Administrator will triage the clients

## 2.1 Profile of clients

Table 1 provides an overview of the clients accepted since the pilot's inception on September 24, 2014 to June 5, 2015. Of the 1,039 clients:

- ▶ 58% are female;
- ▶ 82% are over 30 years of age;
- ▶ 40% are separated while 29% are single; and
- ▶ 9% indicated they are of Aboriginal ancestry (about 24% declined to specify).

<b>Table 1: Client demographics (n=1,039)</b>		
	<b>#</b>	<b>%</b>
<b>Gender</b>		
Male	418	40%
Female	606	58%
Unknown	15	1%
<b>Age</b>		
18 to 25	44	4%
26 to 30	130	13%
31 to 40	336	32%
41 to 50	301	29%
51 and over	215	21%
Unknown	13	1%
<b>Marital status</b>		
Common law	75	7%
Divorced	125	12%
Married	120	12%
Separated	415	40%
Single	301	29%
Widowed	3	<1%
<b>Aboriginal ancestry</b>		
Yes	95	9%
No	696	67%
No data	248	24%
Note: Percentages may not sum to 100% due to rounding.		

The most common opposing party types for EXP FDC clients include ex-spouse (45% of cases), other parent (27%), and spouse (16%). Table 2 contains a complete listing of the opposing party types in client cases.

<b>Table 2: Types of opposing parties (n=1,039)</b>		
<b>Opposing party type</b>	<b>#</b>	<b>%</b>
Ex-spouse	466	45%
Other parent	279	27%
Spouse	163	16%
Other	77	7%
Common law spouse	40	4%
Grandparent	8	1%
Sister	5	1%
Cousin	1	<1%
Note: Percentages may not sum to 100% due to rounding.		

From the available EXP FDC pilot project data, about 69% of client cases involved the BC Provincial Court, while 31% of cases involved the BC Supreme Court.

The most common types of legal issues identified for clients are the following:

- ▶ child support (55% of cases)
- ▶ parenting issues (55% of cases)
- ▶ divorce (33% of cases)
- ▶ spousal support (25% of cases)

See Table 3 for the complete listing of legal issues identified.

<b>Table 3: Legal issues identified for clients (n=1,039)</b>		
<b>Legal issue identified</b>	<b>#</b>	<b>%</b>
Child support	426	55%
Parenting issues	422	55%
Divorce	254	33%
Spousal support	193	25%
Property division	169	22%
Maintenance enforcement	135	18%
Family violence	53	7%
Protection order (family member)	50	7%
Access	36	5%
Denial of parenting time	19	3%
Relocation	15	2%
Removal	12	2%
Transfer a child to a non-parent	10	1%
Risk of removal	8	1%
Cancellation of CCO	4	1%
Other	1	<1%
Note: Cases could include more than one legal issue; totals sum to more than 100%.		

Available data indicates that nearly two-thirds (65%) of cases consisted of only one client meeting, while about 19% of cases had two meetings, and 8% had three meetings. Only 3% of cases included six or more client meetings, with the largest being ten meetings. The mean number of meetings per case is about 1.7. It is important to note that since most cases in the database are still open, many of the cases could have more client meetings before they are closed (this would not be captured in the current database). Table 4 contains a complete listing of the number of client meetings per case.

<b>Table 4: Total number of client meetings per case (n=501*)</b>		
<b>Number of meetings</b>	<b>#</b>	<b>%</b>
1	323	65%
2	97	19%
3	40	8%
4	16	3%
5	10	2%
6 or more	15	3%
Note: Totals may not sum to 100% due to rounding. *Although there were 1,039 cases in the EXP FDC project database, data regarding the number of meetings was only available for 501 cases.		

### **3.0 Methodology**

The process evaluation consists of three lines of evidence: a document and data review, interviews with key informants (LSS personnel and external stakeholders), and interviews with clients. An EXP FDC Project Working Group (WG), comprised of representatives from the LSS and the British Columbia Ministry of Justice (MOJ), is guiding the evaluation process. PRA held consultations with the WG to refine the key evaluation documents to guide the evaluation: the logic model and evaluation matrix, which are in Appendices A and B, respectively. The WG also reviewed and approved the data collection instruments used for the process evaluation. The data collection instruments are included in Appendix C.

#### **3.1 Document and data review**

PRA reviewed relevant documents produced by the pilot project, including the project manual and charter, descriptions and diagrams of the EXP FDC model, and forms used by the pilot to collect information on its clients and the types of assistance provided. The data review for the process evaluation relies on available data in the pilot project database, since the focus of the process evaluation is on the implementation of the pilot project. The review does not make comparisons to data from before the implementation of the pilot, as no comparable data were collected before this time. The summative evaluation will also include data from the LSS Client Information System (CIS) database, as well as data from the MOJ (e.g., Court Services Branch).

It is important to note that the quantitative data presented in the tables throughout this report reflects only the EXP FDC services provided to clients during office appointments, and not the EXP FDC services provided on list days (Thursdays). However, both stakeholder and client interviewees offered qualitative (anecdotal) observations about the EXP FDC service as a whole, including the services provided on Thursdays.

The data review faced a limitation in that the project database does not have fields to distinguish missing data from unavailable data (e.g., where an activity has not yet occurred). Where possible, other variables were used to assist with analysis and determine whether data were simply not yet available rather than missing. However, in many cases, it is not possible to make this distinction. In the summative evaluation, as more cases are closed in the project database, it may become easier to make the distinction.

Another limitation of the data review occurred because the vast majority of cases (about 97%) are still marked as “open” in the database. Since these cases are still open, it is possible that these clients may still receive more hours of service, have more meetings, and/or receive different kinds of legal advice. Even though the database is up to date as of June 5, 2015, the data in the open cases will not be finalized until the cases are closed; therefore, the data analysis is likely to underestimate the final values of most variables. Some variables that are not affected by this limitation include the demographic information presented above; the stages of the cases when they were opened; and the referrals to the EXP FDC received from other services.

### 3.2 Key informant interviews

The process evaluation includes interviews with key informants to obtain their perspectives on pilot project implementation and early evidence of outcomes. Interviews were conducted by telephone with 11 internal stakeholders (the EXP FDC Project Lead, the Pilot Lead Duty Counsel, the Pilot Administrator, and eight Roster Duty Counsel) and ten external stakeholders (two judges, three Victoria JAC staff, two representatives of the Court Registry, two Director's Counsel from the Family Maintenance Enforcement Program, and a representative of the University of Victoria Law Centre). When possible, interviews were conducted in groups.

### 3.3 Client interviews

To obtain feedback from EXP FDC clients, PRA conducted 20 individual client telephone interviews of about 20 minutes each. Using the pilot project database as a guide, PRA attempted to contact clients who had a high number of service hours provided to them, to increase the likelihood that the clients could comment on multiple aspects of the EXP FDC. Interviews focussed on the clients' experience and satisfaction with the EXP FDC services, and how the services might be improved. To help improve the response rate, the clients were provided with a flyer explaining the research and notifying them that they might be contacted for an interview.

## 4.0 Findings

The process evaluation findings are presented based on the evaluation questions, which focus on the implementation of the pilot project and its early progress toward achieving its intended outcomes.

### 4.1 Implementation

**1. Has the EXP FDC been implemented as intended in Year 1? What challenges were met in implementation? How were challenges addressed and improvements made to the model?**

Most interviewees believe that the EXP FDC pilot project has been implemented as planned. Some commented that the transition from the old model to the new model was smooth. A few of them mentioned that there may have been a few minor delays, such as the time it took to find and contract the Roster Duty Counsel, but the delays were not long enough to impact the pilot. A few internal stakeholders said that they did not know enough about the implementation plan to be able to assess whether the pilot was implemented according to plan.

Respondents identified several challenges regarding the implementation of the EXP FDC, although only some could provide examples of how the challenges were being addressed.

**Increased paperwork.** The most common challenge mentioned by internal stakeholders was the increase in paperwork as a result of the pilot project. Several respondents mentioned that, while they are used to filling out forms about the client and the client's case, the forms are now longer, and there are more of them to complete. The case summary form was mentioned as a difficult form to complete. A few others indicated that they must repeatedly enter in the same information

for each case, since the common fields across all forms are not automatically copied over (most forms are filled out on paper). For example, a client's name would have to be entered several times across different forms.

Also, some stakeholders noted that the forms have changed throughout the duration of the pilot project, which has meant that they have had to spend more time learning to complete the revised forms. In addition, they had to go back into old forms and retroactively enter in new information, which took them a substantial amount of time. A few interviewees said they were uncomfortable making retroactive changes to forms, because it is difficult to remember the specifics of the case and the client after several months. Also, when the lawyers were asked to close certain case files, some of them found it challenging, because they would have no information on the outcome of the case (i.e., the stage of the case file when closed). Despite these challenges, a few respondents said that the increase in paperwork was understandable, and that it was "just part of the job."

**Managing client expectations.** Another challenge involves clients' reactions to the Family Duty Counsel model changing from a drop-in service to an appointment-based service. Interviewees explained that many clients who used the service in the past were unaware of the changes to the model, until they tried to use the service again. Some clients appeared to prefer the old model, as it was difficult for them to keep appointments with the new model. Respondents believe that clients were feeling frustrated with having to wait for appointments, even though they would get more time with Duty Counsel to talk in-depth about their case (six hours as opposed to three hours). To address this challenge, EXP FDC personnel are conducting more outreach activities. Specifically, since clients are referred to the pilot through various other programs, the project personnel are trying to keep track of the programs with high referrals to the EXP FDC, and plan to follow-up with those programs to ensure that they are aware of the changes in the Family Duty Counsel services.

**Lawyer conflicts.** Some interviewees mentioned that, compared to the old model of Duty Counsel, they are spending more time checking for conflicts of interest. A few others mentioned that they did not know the process for checking for conflicts, and believe that the pilot project had not established a formal process for doing this. Typically, the Pilot Administrator performs a conflict check using the pilot project database, and then provides client names to Duty Counsel a few days before their appointment so that the lawyers can conduct internal conflict checks; however, a few interviewees said they were unaware of this. Several respondents also indicated that more conflicts are arising on family list days (Thursdays), since one of the two Duty Counsel who attend is always the same person. As a result of their presence every Thursday, this Duty Counsel sees a high volume of clients, and some interviewees believe that this creates more conflicts of interest, which prevent this Duty Counsel from assisting other people who come in. A few interviewees said this might be a problem for clients, since one party would be guaranteed to have the same Duty Counsel, while the other party would possibly be assisted by a different lawyer each time (since it is not always possible for the court date to be scheduled at a time when the same Duty Counsel is available). This would mean that one party would not experience the same level of continuity as the other party.

Other implementation challenges mentioned by interviewees included the following:

- ▶ long waiting times for appointments, since most Duty Counsel work one shift every two weeks, and some clients require earlier appointments
- ▶ some client disorganization, including clients who miss appointments; as a result, Duty Counsel spend time waiting for clients who do not show up, instead of helping drop-in clients
- ▶ a perceived lack of program support for people with mental health issues or people without any computer skills; since many clients needed to complete electronic legal forms or visit legal websites, a lack of computer skills was seen as a possible impediment
- ▶ an uneven gender split among the Roster Duty Counsel; since eight of the ten Duty Counsel are female, clients have a reduced ability to choose the gender of their representative

## **2. What external factors have influenced the implementation and success of the EXP FDC?**

The main external factors that interviewees identified as influencing the implementation of the EXP FDC were related to the fact that the pilot is located in the Victoria JAC. In particular, almost every internal stakeholder mentioned that the JAC's resource room has been an enormous benefit to the project. The resource room is a space where clients can access computers and complete their required legal forms. There is also a JAC employee who works in the resource room and assists clients in completing the forms that their lawyers have identified for them. Interviewees noted that the availability of computers was especially important for people with low incomes, who may otherwise not have reliable access to computers or the internet. Also, the staff member working in the resource room was universally praised for having an in-depth knowledge of all the legal forms clients could fill out, and a great willingness to help clients throughout the process. The integration between EXP FDC services and the resource room was seen as a key success for the pilot project.

Respondents also mentioned that the pilot project was aided by its close proximity to other services within the JAC, such as Mediate BC and FJCs. Duty Counsel found it easy to refer clients to these other services, since the client would only have to walk a short distance to the JAC front desk in order to make an appointment with a different service. External stakeholders also mentioned that it was easy to refer clients to the EXP FDC because it was located in the same complex. Both internal and external stakeholders appreciated that they could ensure their clients made the necessary appointments before leaving the building.

**3. Did the EXP FDC have sufficient tools, resources, and capacity to meet demand and any intended targets?**

Under the EXP FDC pilot project, clients are allotted up to six hours of Duty Counsel service, compared to the maximum of three hours they could receive under the old model. In rare cases, clients may be approved to exceed the maximum number of hours. However, the pilot project database contains only four examples (out of 774) of a client exceeding the six-hour limit. In fact, about 70% of clients received one hour of service or less. Another 18% received 1.1 to 2 hours of service, while 6% received 2.1 to 3 hours. These findings correspond to the observations of internal stakeholders, who said they rarely (if ever) heard of any client exceeding their maximum number of hours, or of clients being “cut off” from services. The available data suggests that the current six-hour maximum is more than sufficient for the majority of eligible clients. Table 5 presents a complete breakdown of the number of service hours per client (data are missing for 265 clients, or about 26% of the total sample).

**Table 5: Service hours per client (n=774)**

Number of hours per client	#	%
0.1 to 0.5 hours	204	26%
0.6 to 1 hours	340	44%
1.1 to 1.5 hours	77	10%
1.6 to 2 hours	65	8%
2.1 to 2.5 hours	29	4%
2.6 to 3 hours	18	2%
3.1 to 3.5 hours	7	1%
3.6 to 4 hours	13	2%
4.1 to 4.5 hours	5	1%
4.6 to 5 hours	6	1%
5.1 to 5.5 hours	5	1%
5.6 to 6 hours	1	<1%
6.1 to 6.5 hours	2	<1%
6.5 to 7.0 hours	-	-
7.1 to 7.5 hours	2	<1%

Note: Totals may not sum to 100% due to rounding.

Overall, stakeholder opinions regarding the resources of the project were mixed. Interviewees did mention that the pilot project has benefited from the increased hours of service per client, and they generally believe that the quality of service had improved because clients had more time to discuss their case with a lawyer. A few other lawyers observed that they always felt they had enough time with their clients. Others said that the two-week wait for appointments seemed reasonable, although some said that clients need faster appointments.

On the other hand, some stakeholders believe that the popularity of the EXP FDC is growing, and they expressed some concerns about increasing workloads. A few suggested that a second Pilot Administrator may need to be hired in the future to make the workload manageable. A few respondents also indicated that on days when the Pilot Administrator is sick, the lawyers have a difficult time managing client files and setting appointments, which can be frustrating for both lawyers and clients.

Stakeholders also explained that it is difficult to anticipate the volume of clients who will show up each day (on most days, the pilot project designates one hour in the afternoon for drop-in appointments). On some days, the lawyers are able to see all the drop-in clients, while this is not the case on other days. Several interviewees mentioned that Thursdays (family list days) were very busy, and that client demand could not always be met on those days.

**4. To what extent do the current processes and structure of the EXP FDC support its efficient and effective delivery?**

As noted earlier in this report, interviewees described a number of challenges in the implementation of the EXP FDC pilot project (see Evaluation Question 1 above). However, the overall reaction to the new model was positive. Many interviewees believe the new model is an overall improvement over the old one, and several had no further suggestions for improving the model. A few of them said they did not have enough information about the model to assess whether it needed any improvements. Others said that the success of the model depends upon a number of external factors, such as the availability of the resource room and the willingness and ability of clients to keep appointments and prepare the necessary documentation.

Other observations regarding the EXP FDC model included the following:

- ▶ **Instances where clients are waiting longer for appointments compared to the old model:** A few interviewees believe that some clients were intentionally coming to the JAC during the EXP FDC drop-in hours because they did not want to wait for the time it would take to make a formal appointment.
- ▶ **Some clients not having enough time to prepare for court on family list days:** One or two respondents mentioned that the first clients to be seen by the EXP FDC on list days often only have 10 to 15 minutes before their court appearance, which may not be enough time for the Duty Counsel to fully assist them. They suggested that Duty Counsel should start seeing clients slightly earlier in the day to account for this.
- ▶ **Assisting clients on family list days takes up more time:** Respondents mentioned the perception that, with the exception of the first couple of clients on list days, it is taking longer to interview clients who have court matters, which can hold up the court and cause other delays.

**5. What considerations related to the EXP FDC model are necessary to successfully implement the model in a different site? How have the lessons learned from similar family duty counsel services at the Vancouver JAC helped develop the EXP FDC services in Victoria?**

For the most part, interviewees could not extensively comment on the lessons learned from the Vancouver JAC, since most of them did not have detailed knowledge about the Vancouver model. However, respondents mentioned that the EXP FDC pilot project in Victoria benefited from having a project lead with extensive experience with the Vancouver model. It was also noted that the Vancouver Family Duty Counsel generally do not book appointments more than two to three weeks in advance, since clients often do not show up for appointments if they are booked further in advance. This information was helpful in guiding the approach to booking appointments at the Victoria JAC.

Interviewees mentioned a number of factors which would be important to consider when expanding the model to another site.

- ▶ **Training on new paperwork:** Stakeholders noted that the Roster Duty Counsel may have difficulty adapting to the new forms, especially the case summary form and the advice given form. They explained that the lawyers may not have recorded information in these formats before.
- ▶ **Communicating roles and responsibilities:** Some interviewees, particularly external stakeholders, said that they did not fully understand the roles and responsibilities of some key positions in the EXP FDC pilot project. They indicated that they were not given a complete explanation of these roles, and that they did not always know how they could find this information. As another example, one interviewee suggested that a job advertisement for a key role in the project may have received no applicants because the role was not communicated clearly.
- ▶ **Balancing the roster:** A few interviewees said it was important to build a roster of lawyers that was large enough to be able to provide services during the required office hours, but was not so large that it could reduce continuity of service (i.e., by making it difficult for a client to see the same lawyer for more than one appointment).
- ▶ **Office resources:** Many respondents noted the importance of the JAC's resource room in the success of the EXP FDC pilot project. The availability of computers and a staff member to assist clients in completing forms were seen as crucial supports of the project. A few other stakeholders mentioned that other office equipment, such as photocopiers, would benefit any Duty Counsel site.

## 4.2 Early indications of outcomes

The process evaluation took place within the first six months of the EXP FDC pilot project. At this time, the evaluation can support an early discussion of outcomes. The summative evaluation will provide a more extensive discussion of the outcomes of the project.

### 6. Were there any gaps in the types of clients served by EXP FDC, especially those with low SES/education, mental health concerns, or facing cultural/language barriers?

In general, stakeholder interviewees suggested that the EXP FDC has increased access to family law services for those who qualify for free legal advice. Almost all respondents mentioned that the increased hours of service per client (from three to six hours) benefited the pilot project by increasing its capacity to provide high quality and consistent services.<sup>2</sup> Also, a few stakeholders argued that the intake and screening process for the EXP FDC would ensure that the program serves only financially eligible clients. Other accessibility improvements mentioned by the respondents included the resource room, the engagement of community translation services for non-English speaking clients, improved physical accessibility (moving from a basement to above-ground offices), and the availability of the LawLINE for individuals who do not live near the Victoria JAC.

On the other hand, respondents observed some barriers to service for clients of the EXP FDC:

- ▶ **Long wait times for appointments:** Several interviewees mentioned that clients often find it difficult to wait two to three weeks for an appointment with the same lawyer. This was especially true for clients who had court dates in the near future, and who may have needed more time for legal advice.
- ▶ **Client fatigue due to intake:** Some respondents mentioned that their clients were frustrated by having to go through more than one intake process. This process can occur when a client goes through LSS intake before being directed to the EXP FDC, or when clients are referred to the EXP FDC from another program (LSS or non-LSS) with its own intake procedure.
- ▶ **Clients who are ill-suited for appointments:** Even though stakeholders tended to prefer the appointment-based approach used by the EXP FDC, some noted that the model is less ideal for clients who prefer drop-in services. For example, some clients may have trouble keeping appointments due to their child care responsibilities, while others who live out of town may only be able to make occasional visits to the Victoria JAC.
- ▶ **Income threshold for services:** Stakeholders described several situations where clients were slightly above the income threshold for the EXP FDC, and therefore did not qualify for services. However, the clients still could not afford a private lawyer. This was seen as a “grey area” where clients would have extreme difficulty finding public legal aid or affordable legal services.

<sup>2</sup> As previously depicted in Table 5, the EXP FDC database indicates that only 41 clients have used more than three hours of service. However, interviewees believe that the increased *availability* of the services was still a benefit, even if many clients aren't using the full six hours.

Through interviews, EXP FDC clients provided mixed views on the convenience and accessibility of the Victoria JAC. Clients who reported living close to downtown or in a “central area” said the location was convenient, while others living across town or in outlying areas said it was very difficult or inconvenient to reach the centre. Among those who said it was inconvenient, many pointed out the long drive to reach the JAC, while some mentioned that parking downtown was expensive, which was problematic for people with low incomes. A few clients also said that the building was difficult to access due to a physical disability, and they cited stairs as the main challenge. That said, almost all of the interviewed clients said that the hours of operation for the EXP FDC were convenient and allowed for some flexibility (although some mentioned they had to take time off work to attend appointments).

**7. Did the enhancements present in the EXP FDC improve the continuity and consistency of the EXP FDC service?**

One of the goals of the EXP FDC pilot project is to ensure continuity of counsel for clients. This goal is supported by the appointment-based approach of the project, in which clients may be better able to schedule subsequent appointments with the same lawyer. By matching clients and lawyers, both parties may form a rapport, and may have more efficient interactions, since the lawyer will not have to gather basic information on the client’s case at every appointment. Therefore, when setting appointments, the Pilot Administrator attempts to maintain this continuity whenever possible. However, depending on the availability of the client and the lawyer, the client’s court date, lawyer sick days, and other possible factors, it may not always be practical to schedule the client and lawyer together.

As seen in Table 6, the majority of cases (74%) had only one lawyer associated with the file, while 17% of cases involved two lawyers. Only 9% of cases involved three or more lawyers, with the highest involving five lawyers.

<b>Number of lawyers per case</b>	<b>#</b>	<b>%</b>
1	770	74%
2	177	17%
3	58	6%
4	24	2%
5	9	1%

Note: Totals may not sum to 100% due to rounding.

Table 7 presents an analysis of a sample of 460 cases from the EXP FDC pilot project database. The sample contains all cases that have between one and three client meetings, and between one and five lawyers (all of them Duty Counsel) involved. The goal of the analysis is to provide a measure of continuity of counsel by showing how the number of lawyers involved changes with the number of meetings.

- ▶ Among 323 cases containing only one client meeting, 285 (88%) had one lawyer involved with the file, while 38 (12%) had two or more lawyers.
- ▶ Among 97 cases containing two client meetings, 30 (31%) involved one lawyer, while 67 (69%) involved two or more lawyers. This may indicate that continuity of counsel was only present within the former 31% of these cases, since the client met with the same lawyer for both appointments.
- ▶ Among 40 cases containing three client meetings, only 13 (33%) involved one lawyer, while 27 (68%) involved two or more lawyers. This may indicate that continuity of counsel was only present within the former 33% of these cases, since the client met with the same lawyer for all three appointments.

It should be noted that several factors may necessitate the involvement of more than one lawyer in a case. For example, the client may see a Duty Counsel when first attending court, but when scheduling the client meeting must — either because of the client’s or lawyer’s availability — meet with a different lawyer. Or vice versa, the client may be assisted by one lawyer at a scheduled meeting, but must attend court on a day when that Duty Counsel is not available and is then assisted by a different Duty Counsel. As well, the client may require a scheduled meeting when the Duty Counsel that has already been assisting them is not available. Other factors beyond the control of the pilot are lawyer sick days, client emergencies, and a client’s frequent use of drop-in services (which means they would see whichever lawyer was working that day). Furthermore, because the majority of cases are still open, it is possible that all data on numbers of client meetings have not yet been entered into the database.

Number of client meetings	Number of lawyers involved in the case					Total
	1	2	3	4	5	
1*	285	28	9	1	-	<b>323</b>
2	30	53	10	4	-	<b>97</b>
3	13	10	13	3	1	<b>40</b>
<b>Total</b>	<b>328</b>	<b>91</b>	<b>32</b>	<b>8</b>	<b>1</b>	<b>460</b>

\*A client with only one client meeting may have more than one lawyer involved if they had a client meeting with one Duty Counsel but were assisted in court by another Duty Counsel.

Therefore, based on this preliminary analysis for the process evaluation, and as outlined in Table 6 and Table 7, while the majority of files overall (74%) have only one lawyer involved, it appears that cases with more than one scheduled client meeting tend to have less continuity of counsel.

Even in cases where continuity of counsel is not possible, the EXP FDC pilot can still maintain continuity of service through the use of the client's files. At each appointment, lawyers record information about the case, which will reside in a client file that is created and maintained by the Pilot Administrator. In the event that a client sees a different lawyer for a subsequent appointment, the new lawyer will have quick access to the client's file, and may review it before the appointment in order to learn about the case. If this process is followed, the lawyer will be better prepared to provide advice to the client, and continuity of service will be maintained.

There was consensus among interviewees that efforts are being made to ensure continuity of counsel by matching clients with lawyers they have seen before. However, stakeholders were mixed in their opinions regarding the extent to which continuity of counsel is actually occurring in the EXP FDC pilot. Several respondents pointed out that continuity of counsel is dependent upon some of the factors mentioned above, such as the availability of both the lawyer and the client, and any deadlines within each case. Stakeholders cited several examples to illustrate that the usefulness of continuity may be specific to each client. For example, some clients said they were confused when receiving advice from two or three different lawyers over time, while other clients placed more emphasis on seeing a lawyer at a time of their convenience, regardless of whether it was the same lawyer. Many respondents pointed out that clients usually do receive continuity with the project's lead lawyer, who works more consistent hours compared to the Roster Duty Counsel.

On the issue of file continuity, most interviewees said that they have benefited from reading the case summaries and advice given of previous lawyers, and often saved time by doing so. Some mentioned minor challenges with this approach, such as unclear handwriting and substantial time spent reviewing files before short meetings (for example, spending 15 minutes reviewing files, only to spend five minutes with the client). Overall, stakeholders believe that client files are consistently maintained by the Pilot Administrator, and that lawyers are using the files when taking over cases from other lawyers.

On the other hand, the substantial majority of clients interviewed in the evaluation reported that they were not able to see the same lawyer over subsequent appointments. Many of these clients believe that their new Duty Counsel had little or no prior knowledge of their case, and they were forced to re-explain most details, much to the clients' frustration. Fewer clients reported that the transition between lawyers was a smooth one. Also, while a few said they at least appreciated the different points of view provided by different lawyers, more reported that they were confused by the different advice they received.

Among clients who were able to see the same lawyer throughout their case, the only concern they reported was that they sometimes had to wait a long time for an appointment (up to a month). However, clients also explained that they were made more comfortable by seeing the same lawyer, and that they appreciated the lawyer could follow their case without the client needing to re-explain various details. One client also mentioned that their lawyer was continuously helpful in completing legal forms, since English was not the client's first language.

**8. Are clients satisfied with their experience using the EXP FDC services? What, if anything, can be done to improve clients' experience?**

Among the clients who participated in an interview, roughly half indicated they were very satisfied with EXP FDC, while about a quarter said they were somewhat satisfied, and another quarter said they were not satisfied.

For the clients who were very satisfied with the pilot, the most common positive comments were that the EXP FDC has great lawyers who are helpful, answer all questions, and provide clear plans and instructions for dealing with a client's family law matter. Some clients also said that they knew very little about the legal process before interacting with EXP FDC, and that the service provided them with a more realistic view and strategy. A few others mentioned they liked the service because it was free. Some other positive comments regarding the helpfulness of the pilot included the following:

- ▶ very empathetic and understanding Duty Counsel
- ▶ provided a great deal of information (resources, websites, and phone numbers)
- ▶ fast drop-in services
- ▶ Duty Counsel spoke to the opposing lawyer on the client's behalf
- ▶ helped resolve the matter at hand

Other clients suggested that they were satisfied, but that the service had some downsides. Some challenges these clients had with the service included an insufficient number of hours per client,<sup>3</sup> not enough help with document preparation, confusing information about the legal process, and difficulty making appointments. Among the few clients who said they were not satisfied with the pilot, one believe that their Duty Counsel was not personable or accommodating, while another believe they were given wrong information about their case. A few clients also mentioned that the hours of service were inconvenient, forcing them to take time off work to attend appointments.

Clients offered a variety of ideas for improving the EXP FDC services. The most common suggestion was to ensure that any client is assisted by the same lawyer throughout their case (unless there is a conflict of interest). On a related note, some clients wanted their lawyer to be available more frequently, or they wanted the wait times for appointments to be reduced. Some other suggestions for improvement included the following:

- ▶ more outreach to inform the public that the service exists
- ▶ increased physical accessibility to the building for people with disabilities
- ▶ more help with property issues
- ▶ greater appointment lengths (beyond one hour)
- ▶ having more Duty Counsel available for drop-ins

Stakeholders offered some anecdotal observations regarding the level of client satisfaction with EXP FDC, citing some examples where clients thanked them for their services, and even a few instances of clients sending thank-you letters after using the service. Among those who heard

<sup>3</sup> Since we interviewed clients who had higher EXP FDC service hours, we were more likely to speak to clients who had complex cases, and who may have wished for more service hours. In reality, the majority of clients used only one hour of EXP FDC time (or less).

from clients about their satisfaction with the pilot, the comments were mostly positive. That said, a few respondents noted that clients were often frustrated on list days because they did not believe they had enough time with Duty Counsel in order to prepare for a court appearance. However, stakeholders have no formal way of tracking client satisfaction, and they very rarely hear from clients after they stop using the service.

### **9. Did the EXP FDC program help clients to better understand and engage with the family justice system?**

For project stakeholders, the extent to which clients were better able to understand and engage with the family justice system was unclear, since they rarely have contact with clients after they use the service. Some stakeholders believe clients improved their capacities by working in the resource room and learning to fill out legal forms. Others said clients benefited from learning about courtroom protocol, such as the proper way to address a judge. Several internal stakeholders reported that they informally coached their clients on how to behave and make statements in court, and what to expect the judge to say. Also, many stakeholders indicated that they go over court forms with clients, and then direct clients to the resource room to complete the forms (with assistance from the resource room staff member, if needed). That said, the EXP FDC project database includes 144 counts of lawyers reporting that they actually helped draft documents, which represents 14% of all cases. The database also includes 247 counts of lawyers providing advice regarding document preparation (encompassing 24% of total cases).

On the other hand, some respondents were doubtful that clients could truly improve their understanding of the family justice system. Interviewees cautioned that, even after giving clients a substantial amount of information, clients tend to be overwhelmed by what they hear, especially due to the emotional stress of their legal issue. In addition, some stakeholders said that a client's ability to better engage with the justice system depends largely upon their education level and ability to understand legal concepts.

Through interviews, clients of EXP FDC described the extent to which the pilot helped them better engage with the family justice system through various different services:

- ▶ **Preparation of court documents:** About half of the clients mentioned that their Duty Counsel helped them prepare court documents in some way. Most of these clients reported that they received direction on which forms were important and how to fill them out, and in one or two cases, the lawyer actually helped them to complete the form. Only one client said they were still frustrated with the forms, even with the lawyer helping them. Also, for the clients who said their Duty Counsel did not help them with forms, many of them said the lawyer still told them which forms were important, and a few clients were referred to the resource room or to a website to retrieve the forms.
- ▶ **Explaining legal issues and the family law process:** The vast majority of clients said that their Duty Counsel explained something about the legal process which helped them in their case. Many of them said that they knew almost nothing about the legal process before interacting with the pilot, but that the information they received was clear, comforting, or explained all the steps they needed to follow. Some clients mentioned that their Duty Counsel helped them form strong legal arguments, or that they helped revise their arguments so that they could not be used against the client. However, a few clients

did say that despite the information they received, it was still a major challenge to go through the legal process.

- **Advice on making a court appearance:** About half the clients mentioned that their Duty Counsel advised them on making a court appearance, or multiple appearances. Most of the guidance they received involved court procedures, how to address the judge, and how to present arguments and materials in a brief and efficient manner. Among those who did not receive advice regarding court appearances, many said that it was not applicable to their case, or that they were not far enough along in their case to have attended court.

Finally, no clients mentioned having their Duty Counsel accompany them to a Family Case Conference (FCC) or a Judicial Case Conference (JCC). A few clients said that their Duty Counsel stated it was against the rules for them to accompany the client to a case conference.

**10. Were EXP FDC clients better able to obtain early resolutions to their family law issues?**

While some stakeholders were optimistic that the EXP FDC services were helping clients achieve early resolutions to their family law issues, there was no formal way for them to track a client’s progress after the client’s time with the project concluded.

Although the project database does not contain the number of early resolutions (or any resolutions), the process evaluation can provide a partial assessment of the extent to which clients are accessing EXP FDC early in their legal matters, which may lead to earlier resolutions. According to project data, client cases were at various stages when the clients first interacted with EXP FDC. For example, about 29% of clients came to EXP FDC before they had any court proceedings or written agreements. About 16% of cases were related to changing a final order or agreement, while 15% had commenced court action, but had not yet had a case conference. There were 119 cases (12%) where clients interacted with the service after they had a final order or agreement. Table 8 provides a breakdown of the different stages of client cases when the files were opened.

**Table 8: Stage of client case when file opened (n=1,039)**

Stage of case	#	%
Before court proceedings or written agreement	299	29%
Change final order or agreement	165	16%
Court action commenced – before case conference	156	15%
After final order or agreement	119	12%
Unknown	110	11%
Before final order	105	10%
After case conference – before interim orders	19	2%
Family	16	2%
Protection stage	13	1%
Presentation stage	12	1%
Application to change a final order or written agreement	9	1%
Other	16	2%

Note: Totals may not sum to 100% due to rounding.

The EXP FDC database does track service outcomes<sup>4</sup> from the perspective of the pilot project. The data review found 780 reported service outcomes across the client cases, where some cases included more than one outcome. By far, the most common service outcome was “Advice Only,” which was recorded in 77% of the cases that included outcome data. Other common service outcomes included “Appearance – Adjournment” (22%) and “Interim Orders” (12%). The “Other” outcomes included in Table 9 refer mostly to child placement (e.g., child transferred to non-parent, child with client under supervision) and unresolved cases (where the files were closed or referred back to LSS intake).

Service outcome	#	%
Advice Only	602	77%
Appearance - Adjournment	168	22%
Order - Interim	92	12%
Appearance - Interim Order	34	4%
Order - Final	30	4%
Unknown	12	2%
Child in care	8	1%
Other	17	2%

Note: Cases could involve more than one service outcome; totals will sum to more than 100%.

Of the 20 clients interviewed for the process evaluation, about a quarter said their legal matter was resolved, and two of the resolutions were external to the services provided by EXP FDC (one of the cases was dropped). For those who resolved their matter with the help of the pilot project, all of the clients were pleased with the outcome, and happy with the assistance they received from their Duty Counsel. No client mentioned resolving their case out-of-court. Among the clients whose matters were not yet resolved, one indicated that they had to hire a private lawyer because the EXP FDC could not provide enough assistance in completing and filing legal documentation.

**11. Did the EXP FDC improve the level of integration across available legal supports and services at the Victoria site?**

Two of the most important aspects of the level of integration between EXP FDC and other services at the JAC are the resource room and the physical co-location of these services in the same building. The level of integration and benefits related to these factors were discussed under Question 2 in Section 4.1 of this report.

Aside from these points, interviewees frequently mentioned their interactions with other services at the JAC, including with FJCs, mediators from Mediate BC, staff from Access Pro Bono, and students from the University of Victoria Law Centre. In particular, stakeholders reported frequent client referrals between EXP FDC, FJCs, and mediators; this speaks to the level of integration between these services (the referral data from the project database are reported in Table 10 below). Although these referrals were often seen as helpful, the most noted interactions were informal, such as staff members from different services having hallway discussions or lunch meetings. Stakeholders described building a rapport with other staff in the JAC through

<sup>4</sup> In the project database, these service outcomes are referred to as “legal outcomes.” However, this report uses the term “service outcome” to emphasize that the outcomes are the direct result of the services provided, and not the overall outcomes (or resolutions) of clients’ legal matters.

these informal meetings, while also using the time to discuss different approaches to legal issues. For example, staff from different programs would approach each other and compare notes on how to deal with certain legal questions.

While stakeholders valued the informal integration taking place between the programs at the JAC, some respondents wanted more formal integration. Some mentioned that there were no formal introductions between the staff of different programs, and they raised the idea of having occasional staff meetings between the different projects, in order to compare approaches and discuss opportunities for further integration. However, they also acknowledged that such a meeting would be difficult to set up due to the demanding schedules of the program staff. Finally, some external stakeholders mentioned that they didn't know the specifics about EXP FDC, even though they worked in the same building as the pilot. These respondents said it would be helpful for them to have a brochure containing the available hours and key features of EXP FDC.

Less than half of the clients interviewed as part of the evaluation said that their Duty Counsel referred them to another service within the JAC. A few reported that they were sent to the resource room to complete documents, and they indicated the staff member working there was very helpful. Others said they were sent to mediation services, but they could not comment on the usefulness of the service, since their case was ongoing. A few clients used the student law centre at the JAC, but they did not find the student lawyer very helpful. A few clients were also referred to legal representation services, to determine if they would qualify for these services.

## **12. Are the EXP FDC referrals to other resources helpful to clients in resolving their family law issues?**

Since the stakeholders of EXP FDC have no formal way of tracking the resolutions of client cases, they could not comment on the extent to which EXP FDC referrals to other resources helped clients resolve their family law issues. That said, they described many different services to which they frequently refer clients, such as Greater Victoria Family Services (formerly BC Families in Transition), the Together Against Poverty Society (TAPS), housing services, medical services, and income assistance programs. Some stakeholders said they drew on their own knowledge of programs in order to decide where to refer clients, and a few wished that they had a list of resources to reference. Others reported that they found resources through lists from their private practice, JAC documentation, and online searches.

Information on organizations or individuals who referred clients to EXP FDC was available for 41% of cases in the project database. Of all cases with a reported referral, the most common organizations or individuals referring clients to EXP FDC include FJCs (37% of referrals to EXP FDC), LSS/Legal Aid (16%), court staff or judiciary (7%), and the Family Maintenance Enforcement Program (FMEP, 6%). About 20% of the referrals (marked "Other" in Table 10) were spread across many different organizations and individuals, with examples including Access Pro Bono, the Family LawLINE, private lawyers, police/victim services, Aboriginal community agencies, immigrant settlement or multicultural organizations, and BC Families in Transition. It is important to note that missing referral data (in 59% of cases) does not necessarily imply that the client had no referral; it only means that a referral was not recorded. Also, it is possible that clients could be referred by more than one organization over a period of time, but only one referral would

be recorded. Even so, the available data indicates that EXP FDC is receiving a substantial number of client referrals, and especially from organizations within the JAC.

Referring organization or individual	#	% of total cases (n=1,039)	% of total referrals (n=428)
Data not available	611	59%	n/a
Family Justice Counsellor	157	15%	37%
Legal Services/Legal Aid	69	7%	16%
Court staff or judiciary	28	3%	7%
FMEP	27	3%	6%
Advocate or community agency	18	2%	4%
Justice Access Centre	16	2%	4%
Resource Room or Self-Help	16	2%	4%
Other government agency	13	1%	3%
Other	84	8%	20%

Note: Totals may not sum to 100% due to rounding.

The data review found 437 instances (comprising 42% of cases in the database) of referrals from EXP FDC to other organizations or individuals. The most common referrals included LSS/Legal Aid (24% of referrals); JAC services, including the resource room (22%); FJCs (17%); and court staff or judiciary (15%). LSS/Legal Aid, FJCs, and court staff/judiciary were also responsible for the most frequent referrals to EXP FDC, indicating a relatively high flow of clients between these service providers. In Table 11, the “Other” referrals from EXP FDC to organizations or individuals included referrals to social workers, police/victim services, advocates or community agencies, income assistance, immigrant settlement or multicultural organizations, health professionals, and crown counsel/prosecutors.

Organization or individual	#	%
Legal Services/Legal Aid	106	24%
JAC - Resource Room or Self-Help	97	22%
Family Justice Counsellor	72	17%
Court staff or judiciary	67	15%
Private lawyer	49	11%
Justice Access Centre	47	11%
LSS Family Law Website	41	9%
Other government	41	9%
Courthouse library	34	8%
FMEP	32	7%
Private mediator	17	4%
LSS Family LawLINE	16	4%
Law Students' clinic or program	11	3%
Access Pro Bono	10	2%
Other	35	8%

Note: Cases could involve more than one referral; totals will sum to more than 100%.

Among the clients interviewed for the process evaluation, only a few reported that EXP FDC referred them to additional resources beyond the JAC, and some could not remember the services they used. A few said they were helped by BC Families in Transition, while others mentioned they were referred to other legal aid or legal advice services.

### 13. Were there any unintended consequences or outcomes of the EXP FDC project identified in Year 1?

Respondents could not comment extensively on unintended consequences, as many of them believe that all of the consequences were intended, while a few others did not have enough detailed knowledge about the goals of the EXP FDC model. However, some interviewees identified the increased trust and better relationships between legal professionals (lawyers, mediators, and FJCs) as positive unintended consequences. On the other hand, stakeholders mentioned that having only two male lawyers was a negative consequence. In addition, they pointed out some unexpected client perceptions about the project: specifically, some clients perceived their Duty Counsel to be their “own” lawyer, rather than a resource for brief legal advice, which was frustrating for some clients. Finally, some stakeholders argued that the clients who prefer drop-in legal advice are experiencing difficulties with the appointment-based approach of EXP FDC (see Question 6 in Section 4.2 of this report).

## 5.0 Conclusions

This section presents some brief conclusions of the process evaluation, based on the data collection and analysis performed to date.

### 5.1 Conclusions on implementation of the EXP FDC

**Stakeholders generally agree that the EXP FDC pilot project has been implemented as planned.** The main challenges identified throughout the implementation of the pilot included an increased paperwork burden for Roster Duty Counsel, difficulties managing client expectations and accommodating drop-in clients, and the length of time required to screen for lawyer conflicts.

**Some implementation challenges were identified,** including long waiting times for appointments, some client disorganization (e.g., failure to attend appointments or prepare documents), a perceived lack of program support for people with mental health issues or without computer skills, and an uneven gender split among the Roster Duty Counsel.

**The JAC resource room has been a major benefit to the pilot** by assisting clients in preparing legal documentation. The availability of computers and printable forms was especially important for people with low incomes. The integration between EXP FDC services and the resource room was seen as a key success for the pilot project.

**The pilot has been aided by its close proximity to other services within the JAC, such as Mediate BC and FJCs.** Both internal and external stakeholders reported that the process of referring clients to other services has been made easier due to the physical co-location of the services.

**There were mixed views about the resources available for EXP FDC.** Although the increase in service hours per client from three to six was seen as a benefit, there were concerns about the long wait times for appointments, which were reported as being anywhere from one to four weeks. Interviewees also expressed concerns about slow services on list days (Thursdays), due to a high volume of clients, with the courts sometimes standing down while waiting for clients to complete their interactions with EXP FDC.

**Despite the increase in service hours per client, only 41 clients (4% of the database) were found to have used more than three hours.** However, it is not expected that every client will use more than three hours; rather, the increase in available hours gives EXP FDC more flexibility to provide services based on the needs of clients. In addition, with the Roster Duty Counsel attempting to help clients reach early resolutions in their legal matters, much of the advice would likely occur in a compact time period.

**The stakeholder reaction to the EXP FDC model has been mostly positive,** and the majority of stakeholders believe that it is an overall improvement compared to the previous model. However, some respondents (especially external stakeholders) did not have detailed knowledge about the model.

**Some considerations for implementing the EXP FDC model at another site were identified,** including the need for extensive training on new paperwork; clear communication of roles and responsibilities; balancing the roster to ensure continuity of service; and acquiring the necessary office space and resources.

## **5.2 Conclusions on early indications of outcomes**

**Most stakeholders believe that the EXP FDC model has increased the accessibility of family law services for low-income individuals,** citing improvements such as the increased number of service hours, the new client screening process, and increased accessibility of the building.

**Some client barriers were identified,** including long wait times for appointments, client fatigue due to intake processes, and reduced availability for drop-in clients. Some clients appeared to have an income level that was just above the threshold needed to qualify for EXP FDC, but was also not sufficient to hire a private lawyer.

**Most clients said that the hours of operation for EXP FDC are convenient.** However, their perceived convenience of the JAC's location depended largely on the distance they had to travel to get there. Some clients also cited downtown driving and high parking fees as challenges.

**The EXP FDC is making strong efforts to maintain continuity of counsel,** but it is not always practical to schedule clients' appointments with the same lawyers over time. The main challenges to continuity of counsel involve the availability of clients and lawyers, and clients not wanting to wait two or more weeks for appointments. Also, clients who use the drop-in services are assigned to whichever Duty Counsel is working that day, so continuity cannot be guaranteed.

**Most interviewed clients were not able to see the same lawyer over time,** and had mixed views on the extent to which the project maintained file continuity. However, most stakeholders of the pilot believe that the client files were helpful for new lawyers who are taking over existing cases.

**Many clients believe that the pilot helped them understand and engage with the family justice system.** Several reported that they had little or no knowledge about the system until the Duty Counsel assisted them. Most clients described how they were helped by the pilot through the preparation of court documents, explanations of legal issues and options, and advice on making court appearances. Some project stakeholders expressed concerns that the volume of

information Duty Counsel provides would overwhelm clients, but only a few clients reported feeling overwhelmed.

**The extent to which EXP FDC helps clients reach early resolutions is unknown.** The process evaluation could not assess the extent to which clients were better able to obtain early resolutions to their family law issues, because there is no formal way to track resolutions. Also, the majority of interviewed clients had not yet resolved their legal issues. The summative evaluation may be able to provide more insight on this issue through a larger survey of clients.

**Integration between EXP FDC and other services is largely informal, but effective.** Stakeholders described building a rapport with other staff in the JAC through informal meetings, while also using the time to discuss different approaches to legal issues. Some stakeholders wished for more formal integration, and the opportunity to have formal meetings with other service delivery professionals at the JAC.

**There are frequent client referrals being made between EXP FDC and other services.** Within the JAC, most referrals were to or from FJCs, Legal Services/Legal Aid, and the court staff or judiciary. That said, most clients could not comment on the extent to which these referrals helped them. Also, stakeholders of EXP FDC describe many external services (outside the JAC) to which they frequently refer clients, such as Greater Victoria Family Services, TAPS, housing services, medical services, and income assistance programs. However, with no way to track client outcomes of using these services, stakeholders could only speculate on their impacts.

**Roster Duty Counsel have different methods of identifying external resources for clients.** Some draw on their own knowledge of programs, while others find resources through lists from their private practice, JAC documentation, and online searches.

**The majority of clients interviewed for the process evaluation appear satisfied with the services provided by the EXP FDC pilot project.** Of those interviewed, about half said they were very satisfied, about a quarter said they were somewhat satisfied, and another quarter said they were not satisfied. Key improvements that clients recommended for EXP FDC include more continuity of counsel and reduced wait times for appointments.

## 6.0 Recommendations to further enhance the implementation process

### ***Recommendation 1: Consider converting paper forms to electronic forms to increase the efficiency of data entry.***

Increased paperwork burden was identified as a major implementation challenge for the Roster Duty Counsel. In particular, they mentioned that they have to re-enter the same client information on various paper forms. An electronic form, perhaps in Access format, could include fields which automatically copy over common information (e.g., names, contact information) to other forms. This would reduce lawyer time spent on data entry, and possibly make more time available for client appointments or drop-ins. This recommendation is not applicable to the paper-based case summary forms filled out by Duty Counsel in court on list days, as Duty Counsel do not have access to computers during these times.

### ***Recommendation 2: Assess the situation on list days and determine if another Duty Counsel shift is required.***

Many stakeholders reported that EXP FDC is very busy on list days (Thursdays) and sometimes cannot handle the volume of clients coming in. This has resulted in delays for the court and for clients who are left waiting longer hours to be seen. If there were another Duty Counsel present on Thursdays to help clients with court matters, it may help address workload issues.

### ***Recommendation 3: Provide refresher training for Roster Duty Counsel to ensure consistency.***

Some stakeholders reported inconsistent knowledge about their roles and responsibilities regarding the pilot project, and about the proper way to fill out client information forms. In addition, some stakeholders mentioned that Roster Duty Counsel are allowed to accompany clients to FCCs and JCCs, but a few clients said they were told the opposite by their Duty Counsel. It may be useful to provide refresher training or Frequently Asked Questions to the Roster, especially given the reported changes in client forms that have occurred over the duration of the project.

### ***Recommendation 4: Provide a list of external resources (legal and non-legal) for the Roster.***

Roster Duty Counsel described different sources of information when it came to referring clients to other resources. Some referenced lists provided by their private practice, the JAC, or through web searches, while others relied on their own knowledge of local services. If the Roster were provided with a list of resources and related contact information, it would help ensure that Duty Counsel are aware of all the possible services for their clients. Also, given that LSS is interested in increasing the awareness of its pilot projects, a list of resources could help guide the Society's outreach efforts.

## Appendix A – EXP FDC Logic Model

**Program Logic Model – Expanded Family Duty Counsel Pilot Project**

	<b>Program Activities</b>	<b>Program Outputs</b>	<b>Short-Term Outcomes</b>	<b>Medium-Term Outcomes</b>
<b>SUPPORT TO ASSIST CLIENTS RESOLVE THEIR FAMILY LAW ISSUES*</b>	Provide support to eligible Family Law clients <ul style="list-style-type: none"> <li>Continuing legal advice</li> <li>Document preparation</li> <li>Court preparation</li> <li>Mediation support</li> </ul>	<ul style="list-style-type: none"> <li>#, types of clients using EXP FDC service</li> <li>#, types of Family Law issues being addressed</li> <li># of cases with full continuity of service (with a focus on file continuity: smooth case progression, even if the client sees different lawyers)</li> <li># of legal issues presented per client upon engaging with EXP FDC</li> <li># of clients receiving legal advice</li> <li># of clients assisted at court</li> </ul>	<ul style="list-style-type: none"> <li>Clients' knowledge concerning their legal options is increased</li> <li>Clients feel satisfied with the support received while resolving their Family Law issue</li> </ul>	<ul style="list-style-type: none"> <li>Clients' Family Law issues are efficiently resolved</li> <li>Clients' ability to manage and resolve their legal issues is improved</li> </ul>
<b>REFERRALS TO OTHER SERVICES</b>	Provide referrals to, and receive referrals from, other supports and services (e.g., within the JAC)	<ul style="list-style-type: none"> <li>#, type of services/resources accessed by clients before engaging with EXP FDC</li> <li>#, type of services/resources to which clients are referred by EXP FDC (qualitative assessment only)</li> <li>#, type of services/resources in the JAC accessed by clients during their engagement with EXP FDC (qualitative assessment only)</li> </ul>	<ul style="list-style-type: none"> <li>Clients feel the services/resources they were referred to by EXP FDC helped them resolve their Family Law issue</li> </ul>	

\*A key activity in the summative evaluation may be the development and implementation of the coaching model. Since the model has not yet been developed, the formative evaluation will not gather evidence on this activity, but the summative evaluation is likely to address this activity.

## Appendix B – EXP FDC Evaluation Matrix

Framework for the Evaluation of the Expanded Family Duty Counsel Pilot Project		
Questions	Indicators	Data sources
<b>Implementation</b>		
1. Has the EXP FDC been implemented as intended in Year 1? What challenges were met in implementation? How were challenges addressed and improvements made to the model?	<ul style="list-style-type: none"> <li>Stakeholder opinion on challenges/improvements</li> <li>Decision-records of changes made to improve model</li> </ul>	<ul style="list-style-type: none"> <li>Key informant interviews</li> <li>Document review</li> </ul>
2. What external factors have influenced the implementation and success of the EXP FDC?	<ul style="list-style-type: none"> <li>Stakeholder opinion</li> <li>EXP FDC WG meeting minutes documenting external factors</li> <li>Evidence that decisions, actions, policies of external organizations/stakeholders affect the EXP FDC</li> </ul>	<ul style="list-style-type: none"> <li>Key informant interviews</li> <li>Document review</li> </ul>
3. Did the EXP FDC have sufficient tools, resources, and capacity to meet demand and any intended targets?	<ul style="list-style-type: none"> <li>Receiving legal aid referrals in previous years (for catchment area)</li> <li>Stakeholder opinion that the EXP FDC has sufficient tools and resources to satisfactorily meet demand</li> <li>Client opinion on the level of assistance provided by the EXP FDC</li> </ul>	<ul style="list-style-type: none"> <li>EXP FDC database</li> <li>LSS CIS database</li> <li>Key informant interviews</li> <li>Client interviews</li> </ul>
4. To what extent do the current processes and structure of the EXP FDC support its efficient and effective delivery?	<ul style="list-style-type: none"> <li>Stakeholder opinion on the current processes and structure to support the project</li> </ul>	<ul style="list-style-type: none"> <li>Key informant interviews</li> </ul>
5. What considerations related to the EXP FDC model are necessary to successfully implement the model in a different site? How have the lessons learned from similar family duty counsel services at the Vancouver JAC helped develop the EXP FDC services in Victoria?	<ul style="list-style-type: none"> <li>Key informant perspectives on lessons learned from expanded family duty counsel services implemented at the Vancouver JAC</li> <li>Stakeholder opinion on factors to be considered for expansion to other locations/lessons learned/best practices</li> <li>Documentation/data related to Q1 to Q3</li> </ul>	<ul style="list-style-type: none"> <li>Key informant interviews</li> <li>Document review</li> </ul>
<b>Outcome: Clients are satisfied with the support received for resolving their family law issues</b>		
6. Were there any gaps in the types of clients served by EXP FDC, especially those with low SES/education, mental health concerns, or facing cultural/language barriers?	<ul style="list-style-type: none"> <li>Number of non-English speaking clients accessing EXP FDC services</li> <li>Stakeholder assessment of gaps in clients served with respect to low socioeconomic status / low education, mental health concerns, and language barriers</li> </ul>	<ul style="list-style-type: none"> <li>LSS CIS database</li> <li>EXP FDC database</li> <li>Key informant interviews</li> </ul>
7. Did the enhancements present in the EXP FDC improve the continuity and consistency of the EXP FDC service?	<ul style="list-style-type: none"> <li>Number and percent of EXP FDC clients who have continuous contact with a single lawyer</li> <li>Extent to which EXP FDC clients felt it was helpful to work with the same EXP FDC lawyer</li> <li>Extent to which clients who saw different lawyers felt there was still file continuity in their case</li> <li>Extent to which EXP FDC clients felt they benefited from being referred from EXP FDC to another service</li> <li>Extent to which clients are satisfied with continuity of service</li> <li>Lawyer perspective on the effectiveness/continuity of the new service model</li> <li>Time spent with clients for EXP FDC services</li> </ul>	<ul style="list-style-type: none"> <li>EXP FDC database</li> <li>Client interviews</li> <li>Key informant interviews</li> </ul>
8. Are clients satisfied with their experience using the EXP FDC services? What, if anything, can be done to improve clients' experience?	<ul style="list-style-type: none"> <li>Extent to which EXP FDC clients are satisfied with the level of support received from EXP FDC</li> <li>Key informant opinions on the quality of EXP FDC services and improvements needed</li> </ul>	<ul style="list-style-type: none"> <li>Client interviews</li> <li>Key informant interviews</li> </ul>

Framework for the Evaluation of the Expanded Family Duty Counsel Pilot Project		
Questions	Indicators	Data sources
<b>Outcome: Clients receive improved understanding of family law and are better prepared for managing and resolving their family law issues*</b>		
9. Did the EXP FDC program help clients to better understand and engage with the family justice system?	<ul style="list-style-type: none"> <li>Extent to which clients feel their knowledge of family law and the legal process is increased</li> <li>Extent to which EXP FDC clients feel more informed about their legal options</li> <li>Extent to which clients felt prepared for their legal process</li> <li>EXP FDC staff opinions on the extent to which clients increased their knowledge of the legal process</li> <li>Feedback from judiciary/FJCs/JAC staff regarding clients' level of preparedness</li> </ul>	<ul style="list-style-type: none"> <li>Client interviews</li> <li>Key informant interviews</li> </ul>
10. Were EXP FDC clients better able to obtain early resolutions to their family law issues?	<ul style="list-style-type: none"> <li>Number and type of family law services provided to clients</li> <li>Number and percent of EXP FDC cases resolved by type of outcome (by information)</li> <li>Number and percent of EXP FDC cases not resolved and reasons why (by information)</li> <li>Number of days from first contact with EXP FDC to resolution (by information)</li> <li>Number and percent of cases with resolutions out-of-court</li> <li>Extent to which clients believe the EXP FDC helped them resolve their issues</li> <li>Proportion of EXP FDC clients who believe they could prepare/submit court documents on their own</li> <li>Number and percent of EXP FDC clients who have had court documents rejected by the Court Registry</li> <li>Number and percent of EXP FDC clients who file court documents</li> <li>Number and percent of EXP FDC clients who had fewer legal issues (resolved or unresolved) after EXP FDC support than they did upon first engaging with EXP FDC</li> </ul>	<ul style="list-style-type: none"> <li>EXP FDC database</li> <li>Court Registry database</li> <li>Client interviews</li> <li>Key informant interviews</li> </ul>
<b>Outcome: Clients receive referrals to appropriate services/resources to help them resolve their family law issues</b>		
11. Did the EXP FDC improve the level of integration across available legal supports and services at the Victoria site?	<ul style="list-style-type: none"> <li>Stakeholder impressions of the level of integration across the JAC (especially the benefits of physical co-location of services, and team approaches between lawyers providing different services)</li> <li>Extent to which clients believe the services received at the JAC were holistic and effective in dealing with their family law issues</li> <li>Ease or "seamlessness" of client movement between services within the JAC</li> </ul>	<ul style="list-style-type: none"> <li>Client interviews</li> <li>Key informant interviews</li> </ul>
12. Are the EXP FDC referrals to other resources helpful to clients in resolving their family law issues?	<ul style="list-style-type: none"> <li>Extent to which clients feel that the EXP FDC referral to a support resource got them closer to a resolution of their legal issue</li> <li>Stakeholder input on extent to which referrals are helping clients</li> <li>Client experience with using other resources to help resolve their family law issues</li> </ul>	<ul style="list-style-type: none"> <li>EXP FDC database</li> <li>Client interviews</li> <li>Key informant interviews</li> </ul>
13. Were there any unintended consequences or outcomes of the EXP FDC project identified in Year 1?	<ul style="list-style-type: none"> <li>Key informant opinion on unintended consequences or outcomes of the EXP FDC</li> </ul>	<ul style="list-style-type: none"> <li>Key informant interviews</li> </ul>
*A key activity in the summative evaluation may be the development and implementation of the coaching model. Since the model has not yet been developed, the formative evaluation will not gather evidence on this activity, but the summative evaluation is likely to address this activity.		

## Appendix C – Interview guides

**Legal Services Society of British Columbia  
Expanded Family Duty Counsel Pilot Project Evaluation**

**Interview guide for internal stakeholders**

(Project Lead, Lead Lawyer, Administrator, LSS intake, roster lawyers)

The Legal Services Society of British Columbia (LSS) requires an evaluation of the Expanded Family Duty Counsel (EXP FDC) pilot project, which has been implemented under the Justice Innovation and Transformation Initiative (JITI). LSS hired PRA Inc., an independent research company, to assist in the evaluation. One component of the evaluation is to conduct telephone interviews with stakeholders who are familiar with EXP FDC.

The interview should take no more than one hour. The information we gather through the interviews will be summarized in aggregate form. With your permission, we will audio record the interview. Although we will take notes throughout the interview, no one outside of PRA will see these notes or listen to the recordings.

The current evaluation focuses on the implementation of the EXP FDC project to identify early issues and make recommendations to assist LSS management in improving/refining project implementation. This evaluation will also examine early indicators of success in meeting the project's objectives to increase access to family law services for people with low incomes and to help clients resolve their family law issues.

We realize you may not be able to answer all questions. If that is the case, please let us know, and we will skip to the next question.

**Implementation of the EXP FDC pilot**

1. Please briefly describe your role in the implementation and delivery of the EXP FDC project.
2. Based on your observations, has the project been implemented as planned? If not, why not?
3. In your opinion, does the EXP FDC have sufficient resources and capacity for providing the expected level of services to all eligible EXP FDC clients? Please explain why or why not. What steps has the EXP FDC taken to overcome any resource challenges?
4. In your opinion, do the current structure and processes of the EXP FDC support its effective and efficient delivery? Do you have any suggestions for improvements to the model?
5. Have any factors or stakeholders external to the EXP FDC project affected, either positively or negatively, the implementation and success of the model? (*Probe: judiciary, Family Justice Counsellors, Mediate BC*) If yes, how has the project responded to mitigate problems or use opportunities?
6. Are there any other challenges not already discussed that were encountered during the implementation of the EXP FDC? How were these challenges addressed?
7. How have the lessons from the expanded family duty counsel experience at the Vancouver JAC informed the development of the EXP FDC at the Victoria JAC? What has been learned from the implementation experiences of the EXP FDC that would be useful to share with any future sites?

## **Progress towards achieving objectives**

8. To what extent has the pilot project increased clients' access to family duty counsel services? Have there been any barriers to clients accessing EXP FDC services? If yes, what are the barriers and how are they being addressed?
9. To what extent are EXP FDC clients gaining an understanding of the family law process and their legal options? How do you attribute this to the EXP FDC project?
10. How does the EXP FDC model ensure continuity of counsel for clients? In your opinion, what are the benefits to clients of having this continuity? Have there been any challenges in ensuring continuity of service to clients? If yes, what are the challenges and how are they being addressed? (*Probe: is "file continuity" being maintained? I.e. is there smooth hand-off of cases between different lawyers?*)
11. To what extent have roster lawyers been able to assist clients in preparing court documents? Is anything more needed to facilitate this process?
12. Have EXP FDC lawyers helped clients make court appearances? If yes, has this affected the ability of clients to resolve their family law matters?
13. How has EXP FDC affected the integration between services offered at the JAC? Can you provide some examples? Do you have any suggestions for how the integration between EXP FDC and other services at the JAC might be improved?
14. Please describe the EXP FDC approach to referring clients to non-legal resources? For example, how does the EXP FDC determine when and to what other non-legal resources to refer clients? What activities has the EXP FDC undertaken to network with and connect to non-legal resources in the community? Based on the experiences to-date, what are the benefits of these referrals for clients?
15. To what extent are the EXP FDC services helping clients resolve their family law issues? How have the EXP FDC services helped clients achieve out-of-court resolutions? Are there any gaps in the services provided?
16. Have you received any feedback from clients about their experiences with EXP FDC? Do you have any suggestions for how clients' experiences with the EXP FDC can be improved?
17. What changes to EXP FDC, if any, would help increase access to family law services for low income people? What, if anything, could the project do to improve client outcomes?
18. Have there been any unintended consequences or outcomes of the project, either positive or negative? If so, what were they?
19. Do you have any other comments?

**Thank you for your time.**

**Legal Services Society of British Columbia**  
***Expanded Family Duty Counsel Pilot Project Evaluation***

**Interview guide for external stakeholders**

(Judges, Director's Counsel [Family Maintenance Enforcement], Victoria JAC staff,  
Court Registry, University of Victoria Law Centre)

The Legal Services Society of British Columbia (LSS) requires an evaluation of the Expanded Family Duty Counsel (EXP FDC) pilot project, which has been implemented under the Justice Innovation and Transformation Initiative (JITI). LSS hired PRA Inc., an independent research company, to assist in the evaluation. One component of the evaluation is to conduct telephone interviews with stakeholders who are familiar with EXP FDC.

The interview should take no more than one hour. The information we gather through the interviews will be summarized in aggregate form. With your permission, we will audio record the interview. Although we will take notes throughout the interview, no one outside of PRA will see these notes or listen to the recordings.

The current evaluation focuses on the implementation of the EXP FDC project to identify early issues and make recommendations to assist LSS management in improving/refining project implementation. This evaluation will also examine early indicators of success in meeting the project's objectives to increase access to family law services for people with low incomes and to help clients resolve their family law issues.

We realize you may not be able to answer all questions. If that is the case, please let us know, and we will skip to the next question.

**Implementation of the EXP FDC pilot**

1. Please briefly describe your involvement with the EXP FDC pilot project or with clients of the EXP FDC pilot project.
2. In your opinion, does the EXP FDC have sufficient resources and capacity for providing the expected level of services to all eligible EXP FDC clients? Please explain why or why not. To your knowledge, has the EXP FDC taken steps to overcome any resource challenges?
3. In your opinion, do the current structure and processes of the EXP FDC support its effective and efficient delivery? Do you have any suggestions for improvements to the model?
4. Have any factors or stakeholders external to the EXP FDC project affected, either positively or negatively, the implementation and success of the model? If yes, how has the project responded to mitigate problems or use opportunities?
5. Have you encountered any challenges in your interactions with the EXP FDC? If yes, have these challenges been addressed?

## Progress towards achieving objectives

6. From your experience with EXP FDC so far, to what extent has the pilot project increased clients' access to family duty counsel services? Are you aware of any barriers to clients accessing EXP FDC services? If yes, can you speak to how the barriers are being addressed?
7. How does the EXP FDC model ensure continuity of counsel for clients? In your opinion, what are the benefits to clients of having this continuity? What changes to the continuity model, if any, would you recommend, and why?
8. To what extent are the clients who are referred to the EXP FDC services gaining an understanding of the family law process and their legal options? How do you attribute this to the EXP FDC project?
9. How has EXP FDC affected the integration between services offered at the JAC? Can you provide some examples? Do you have any suggestions for how the integration between EXP FDC and other services at the JAC might be improved?
10. Do you refer individuals to the EXP FDC? If yes, how does that typically occur? (*Probe: to whom do you refer clients, at what point in the family law process do you typically refer clients?*) Have you encountered any difficulties in making a referral? (*Probe: knowing to whom to refer — LSS intake or family duty counsel; communication with EXP FDC admin staff or lawyers regarding the clients who were referred*)
11. What are the types of legal services that the EXP FDC provides clients? In general, do you believe that the clients' legal needs are being met by the EXP FDC? Are there any gaps in legal services that you believe still exist for EXP FDC clients?
12. What non-legal resources would be most useful to this client group? Based on your experiences, what are the benefits of referrals to these types of resources for clients? If you can comment, how successful has the EXP FDC been in connecting clients to relevant non-legal resources?
13. To what extent are the EXP FDC services helping clients resolve their family law issues? How have the EXP FDC services helped clients achieve out-of-court resolutions? Are there any gaps in the services provided?
14. Based on what you have observed, do you have any suggestions for how clients' experiences with the EXP FDC can be improved?
15. Have there been any unintended consequences or outcomes of the project, either positive or negative? If so, what were they?
16. Do you have any other comments?

**Thank you for your time.**

**Legal Services Society of British Columbia  
Expanded Family Duty Counsel Pilot Project Evaluation**

**Interview guide for clients**

**[Interviewer reads the following]:** Thank you very much for agreeing to talk to me today. My name is <...> and I am from PRA, an independent research company. The Legal Services Society of British Columbia, you might know them as legal aid, has hired us to help them on a study of one of their services, the Expanded Family Duty Counsel Pilot Project. This service has also been called Family Advice Lawyer. It is a family law service where lawyers provide eligible clients with in-person family law advice. The service is located at the Victoria Justice Access Centre. Lawyers provide advice on the family law process and legal options, including out-of-court resolutions. The program has recently been expanded to include new services to better help clients resolve their family law issues. Legal aid wants to know how well the Family Duty Counsel services are working for clients. We understand you were or still are a client of the Family Duty Counsel, and that is why you were asked to take part in this interview.

I'd like to ask you some questions about the help you got from the Family Duty Counsel. Please be assured that I will not ask you anything personal about your family law matter, only about the services you received and how helpful these were to you. This information will help the Legal Services Society in identifying how the project can be improved.

The interview should take about 20 minutes. The information from your interview will be combined with other interviews and reported all together, so your name will not be mentioned. With your permission, I will audio record the interview for the purpose of note taking. No one outside of PRA will see your notes or hear your recording. If you cannot answer a question, let me know and we will skip to the next question.

**[Begin audio recording]**

1. How did you first find out about these services? Were you referred to the Expanded Family Duty Counsel from another type of service (*Probe: Family Justice Counsellors, JITI Family Mediation Referral Pilot, other non-legal services*)?
2. As you know, the family duty counsel services are located in the Victoria Justice Access Centre, at 225 - 850 Burdett Avenue. How convenient was this location for you? Was the building open at the right hours for you to be able to attend appointments?
3. Were you able to work with the same lawyer throughout all the time you spent with the family duty counsel services?
  - a. If yes, how did having the same lawyer throughout help you, if at all?
  - b. If no, how did switching lawyers affect the services you received, if at all? (*Probe: was the new lawyer already brought up to speed on your case? How smooth was the transition between lawyers?*)

4. Did the expanded family duty counsel lawyer help you prepare any court documents? If yes, what types of documents did they help you prepare?
5. Did the family duty counsel lawyer explain your legal issues to you so that you understood what you needed to do? Did the family duty counsel help you understand more about the family law process? If yes, could you please tell me a bit about how they did that?
6. Did the expanded family duty counsel lawyer give you any advice in terms of you making a court appearance? If yes, how did they assist you?
7. Did the family duty counsel lawyer come with you to a Family Case Conference or a Judicial Case Conference? If yes, how did they assist you at the conference?
8. Are there any other ways that the family duty counsel assisted you that we haven't talked about yet? If yes, what were they?
9. Did the Expanded Family Duty Counsel lawyer refer you to any other legal services within the same building – the Justice Access Centre in Victoria – during your family law matter? If yes, which service(s) did they refer you to? How were these services helpful to you, if at all?
10. Did you use any family law services outside of the Justice Access Centre during your family law matter? If yes, which services did you use? How did these services help you, if at all?
11. Is your legal matter resolved yet? **[If No, interviewer can just write “No” and go to next question]** If yes, what was the resolution? Did you settle out of court? Do you have a full or partial agreement on your matter?
  - a. Do you think that the assistance you received from the family duty counsel helped you resolve your matter? If yes, how did it help you? If no, what help do you wish you had received that might have helped you resolve your legal matter?
12. Overall, how satisfied were you with the Expanded Family Duty Counsel services? Did the services help you resolve some or all of your family law matters?
13. What, if anything, would you change about the program to make the services better?
14. Do you have any other comments?

**Thank you for your time.**