

Legal Services Society - Quality Assurance Initiative
Determination of Best Practice Needs of CFCSA Lawyers

Achieving Best Practices Plan and Budget

Final March 25, 2004

The goal of this project is to state a draft plan of action and budget identifying recommendations as to how to provide the resources and respond to the learning needs of *Child Family Community Services Act* lawyers to assist them to achieve best practices.

In order to accomplish this goal, we have done the following:

1. Developed interview questions and needs assessment tools
2. Conducted interviews and needs assessments
3. Organized comments from the interviews and analyzed the needs assessments
4. Identified "achieving best practice" resource priorities
5. Identified services to provide the resources and approaches to develop, gather and manage the resources
6. Reviewed with you the resources, services and approaches

This is our final report on this project. In this report, we state recommendations and a draft plan of action and budget.

Based on the needs assessment with CFCSA lawyers, we identified the following priority needs to assist CFCSA lawyers to achieve best practices.

- 1) Access to cases through an annotated *CFCS Act*
- 2) Access to CFCSA legal resources including such things as practice specific articles, precedents, research, pamphlets for parent's going through the process, Directors' Counsel resources, appellate arguments, resources from other jurisdictions
- 3) Access to education on priority items identified in the needs assessment
- 4) Access to information on community resources including costs and access requirements, services provided (including availability of lay advocates); and skills, abilities, qualifications, and experience of staff.
- 5) Access to information on expert resources including such things as name, contact information, costs, success, and comments

We recommended that you consider the following services to meet these needs:

- 1) An online resource centre to make the resources available
- 2) An online annotated *CFCS Act* resource book
- 3) A list serve for problem solving, information exchange, communications from LSS (e.g. policies/procedures), tips, articles, additions to the resource centre.
- 4) Online and face to face instruction including an annual face to face course with shorter online courses throughout the year focusing specifically on CFCSA issues.

In implementing these 4 services, we recommend the following:

- A. Develop approaches that make training and resources accessible.
- B. Use a staged approach to minimize impact on LSS staff.
- C. Proceed to implement online and face to face instruction at this time as this is straightforward and will have a minimal impact on LSS staff.
- D. Conduct feasibility studies for the other three services (list serve, resource centre, and annotated CFCSA resource book). Each of these initiatives has components that may impact LSS staff and existing systems. As a result, you need to consider these carefully prior to implementation. The feasibility study approach gives you an opportunity to explore all of the issues and develop a plan of action that minimizes impact on staff and reduces the potential for false starts.
- E. Develop a cost benefit analysis approach for the project.

A) Develop approaches that make training and resources accessible

We are mindful that we are working with CFCSA lawyers with a view to developing approaches that apply more generally to lawyers who provide contract services to LSS. In that regard, it appears you need to consider 5 things to support the best practice needs of LSS lawyers. These include determining how to establish on-going processes to develop resources, gather resources, organize resources, make resources accessible, and establish the cost/benefit of access to the resources.

In the context of CFCSA lawyers, we recommend that you

- 1) Develop resources

Where there are gaps in existing resources, we recommend that you develop resources to fill the gap. We encourage you to begin to develop resources through offering an annual course. This course would respond to identified needs of CFCSA lawyers and would be made available face to face and online.

- 2) Gather resources

Where resources are available we recommend that you gather the resources so they are easily accessible to CFCSA lawyers (e.g. existing CLE BC resources on CFCSA issues).

When you are developing new approaches to communicating (such as with a forum (list serve) discussed below), we encourage you to be mindful that these

communications may be an important source of resources (e.g. CFCSA practice tips).

Where there are existing systems in place to gather information (such as reports to LSS), we encourage you to consider whether there is information being gathered or that might be gathered (e.g. experts used and the services they provide) that will serve as useful resources.

3) Organize resources

As the resources are developed and gathered they need to be organized in a way that allows lawyers to use the resources as they work through a file. We encourage you to consider a resource centre to assist in this knowledge management.

4) Make resources accessible

Resources are only useful if they are accessible. We encourage you to consider making the resource centre accessible online for CFCSA lawyers.

5) Establish the cost/benefit of the resources

As you work through this project, we recommend that you establish measures and approaches to confirm the cost/benefit for each of the initiatives.

B) Use a staged approach minimizing the impact on LSS

In order to minimize the impact on LSS, we recommend continuing to work with CFCSA lawyers, as a model for LSS lawyers generally, with a view to developing processes, business relationships, and business models, and to selecting and integrating technology.

We recommend a staged approach starting with initiatives that minimize the impact on LSS staff and allow you to explore the initiatives and understand the implications prior to making significant organizational or financial commitments.

In particular, where technological initiatives are involved we recommend conducting feasibility studies prior to establishing a plan.

- The feasibility study approach makes sense for initiatives that may impact LSS staff or systems.
- Integration of technology into a workplace involves finding the right fit in terms of the technological tools and developing processes and support around the tools. Developing processes and support around the tools is often the more challenging aspect of this equation as it may involve adjusting established work patterns of competent employees engaged in sophisticated work.
- The feasibility study process supports working with LSS staff and technology consultants to find tools and approaches that provide the best fit.

C) Implement an annual course

We recommend that you work with CLE BC to implement a course made available face to face and online for remote participants. We recommend that CLE BC create an Online Video from the course and produce and publish the

materials and make these resources accessible through the CLE BC store anytime, anywhere.

- The course should be designed to be repeated annually at a fixed date and to respond to the needs identified in the needs assessment. The concept would be to use the annual course as a mechanism to provide on-going training and develop resources on an on-going basis. Working with CLE BC would ensure that the resources would remain accessible anytime/anywhere and over time the library of resources would be strengthened.
- CLE BC would encourage Directors' Counsel to offer their bi-annual course on the same date and at the same location. CLE BC would encourage some joint sessions or a joint conference.
- The face to face course should be streamed out to remote participants using Online Conferencing, which would permit remote participants to participate using telephone audio and computers to view PowerPoint slides and participate in polls.
- Materials should be developed by volunteer faculty in the traditional CLE BC model. Using volunteer faculty from amongst CFCSA lawyers would ensure that your most senior lawyers continue to develop their knowledge and skills through teaching.
- The materials should be made available online by CLE BC.
- The course should be videotaped and made accessible as Online Videos in 6-10 topic-specific modules of approximately 30-45 minutes in length with PowerPoint slides to complement the presentations and with a table of contents that allows a user to access any 3-5 minute segment of the presentation. These modules would be made available anytime/anywhere.

The result would be a course delivered face to face and online with materials and videos available for anytime access. Fee - \$20,000 plus expenses (the latter as determined by the approximate number of registrants). Access to the online materials and Online Video through the CLE BC website would be negotiated separately.

D) Conduct feasibility studies for the forum (list serve), access to resources through CLE BC, and the resource centre

There are 3 components for which we recommend a feasibility study. These are the forum (list serve), online access to CLE BC resources, and the resource centre. Individual or integrated solutions may be appropriate. We have identified some of the issues and approaches that might be considered in developing a solution. To take this to the next phase, however, we recommend that you work with your staff (including technology staff) and seek the advice of technology service providers.

1) Forum (list serve)

We recommend that you explore the implications of this technology for communicating with CFCSA lawyers and for gathering information such as practice tips, recommendations regarding community resources, information about experts, and other information sharing.

The following questions should be considered:

- How do you most effectively set up the forum to ensure that it responds to the identified needs of the CFCSA lawyers?
- What technology is most appropriate?
- Where does the forum reside?
- What is the relationship between the forum, the resource centre, and the CLE BC resources?
- Who manages and supports the forum?
- What are the human resource issues?

2) Access to CFCSA resources through CLE BC publications – to explore the feasibility of providing access to these on an anytime basis

CLE BC produces the following resources in 3 different publications.

- *Family Law Sourcebook for BC* (51 pages on Protection of Children),
- *Family Law Practice Manual* (75 pages on Protection of Children, a 13 page checklist, 12 precedents, 9 sections of the *CFCS Act* with limitation periods, 7 page statute table listing the chapters in the book that reference statute sections), and
- *Annotated Family Practice* (96 pages of annotations for the *CFCS Act* and 14 pages of annotations to the Regulations).

These resources are edited and updated on a regular basis. In addition, they provide resources including specifically an annotated *CFCS Act*, a checklist, and precedents all of which were identified as priority items by CFCSA lawyers in the needs assessment.

We recommend that rather than developing these resources on your own that you work with CLE BC or their technology service provider to find a way to make these resources accessible to CFCSA lawyers.

This feasibility study would focus on LSS working with CLE BC to identify the most effective approach to make these resources accessible to CFCSA lawyers.

CLE BC is currently in the process of making its course materials and books available online. It has not, however, investigated the issues associated with providing online access limited to specific resources from several different publications. In addition, CLE BC is in the process of developing its business models around access to online resources. As a result, it would be timely for LSS to enter into a dialogue with CLE BC to consider what approaches might be available that would minimize the cost to LSS and CLE BC and to maximize the benefit for both.

Several approaches may be appropriate for you to consider regarding access to these resources including:

- Negotiating a fee with CLE BC to provide online access to all of the publications identified above
- Obtaining copies of the materials relevant to CFCSA lawyers to make available in the resource centre
- Determining if it is feasible for CLE BC to provide online access from its website limited to the materials relevant to CFCSA lawyers

The study would involve working with CLE BC (and its technology service providers) to identify a business model and technological solutions (if required) that were most effective for LSS and CLE BC.

3) Resource centre - for access by CFCSA lawyers to resources

It is clear from the needs assessment that access to resources is the most significant priority to support best practices.

The working concept is that the resource centre would serve as the storage place for CFCSA resources including providing access to items identified as priorities in the needs assessment such as publications, resources on experts, and tips.

The resource centre could be as straightforward as documents and organized links on the LSS website or as complex as a stand-alone resource centre.

Regarding a budget for the 3 feasibility studies, we believe that if we propose a budget of approximately \$30,000 for the feasibility studies, we will be within the range of reasonable.

We have canvassed the issue of a budget with several technology service providers; each has identified the complications associated with preparing a budget for a feasibility study without working with LSS staff and considering workflow and technology issues. We concur that these are critical aspects of a feasibility study and we believe that until some of that work has taken place it will be difficult to fix an amount for the feasibility studies.

E) Develop a Cost Benefit Analysis Approach

As you move from needs assessment to recommendations to implementation, we encourage you to ensure the cost/benefit for each quality assurance initiative is considered.

While grant funding allows you an opportunity to explore these approaches, when grant funding ends, you must weigh the benefits and costs of providing training and resources to the lawyer/service providers against the benefits and costs of allocating resources to services for the community.

This weighing process requires the development of a formula that measures such things as total costs for training and resources, impact of the training and resources on lawyer costs/file and quality of service, and impact of enhancements in quality of service on overall ability to serve the community.

It is also important to recognize that quality enhancement is a moving target. Quality enhancement requires the ability to measure the changing quality assurance needs, to provide resources and training that responds to those changing needs, and to ensure that the benefits continue to exceed the costs.

This initiative would involve the following:

- Develop cost benefit analysis questions and a formula
- Determine how to most effectively gather and process the information gathered to inform decision making

The recommended result would be cost benefit analysis questions and a formula, implementation steps, and a budget.

Work on this initiative should take place in concert with the feasibility studies identified above. As a result until we have a clear understanding of the final approaches chosen it will be difficult to fix a price. We encourage you to set aside approximately \$9000 to support integration of the cost benefit approach into the feasibility studies.

F) Plan of action and budget

The plan involves commencing immediately to develop an online and face to face course for implementation in the fall of 2004. CLE BC advises that the fee for this would be \$20,000 (excluding expenses which are dependent on the number of registrants and would include room rental, refreshments, advertising, videotaping, and Online Conference charges). The course would be made available province wide through an Online Conference. The Materials and an Online Video would be prepared for access at any time after the event. While hard copies of the materials and a copy of the video will be made available to LSS, online access for LSS lawyers to the materials and the Online Video through CLE will require negotiation with CLE BC as they are currently establishing their business model for these.

In terms of the feasibility study, we recommend that you set aside approximately \$30,000 to conduct feasibility studies and that you begin to identify technological service providers to assist in this work as and when you are ready.

In terms of the cost benefit analysis, we recommend that you budget approximately \$9,000 to support the integration of a cost benefit approach into the feasibility studies.

G) Conclusion

We conducted a needs assessment with CFCSA lawyers in order to determine what was required to achieve best practices and support quality assurance. The needs assessment revealed that CFCSA lawyers' highest priority need was access to resources.

The resources required included access to an annotated *CFCS Act*, practice specific legal resources, education, information on community resources, and information on expert resources.

We recommend that you now begin a process to develop, gather, organize, and make the resources accessible while considering the cost benefit issues involved.

We recommend an approach that involves implementation where the impact on LSS is small (an education course) and conducting feasibility studies where the impact is greater (forum (list serve), CLE BC resources, and a resource centre).

Thank you for giving us the opportunity to work with you on this.

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