

**Evaluation  
of the  
Family Duty Counsel Project  
in Six Provincial Sites**

**FINAL REPORT**

**for**

**LEGAL SERVICES SOCIETY OF B.C.**



**April 27, 2004**

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Peggie-Ann Kirk and Beth Kope conducted telephone interviews with clients, and Raincoast Business Centre has word processed this report.

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## EXECUTIVE SUMMARY

This is the second and final report of an evaluation of the provincial Family Duty Counsel Project (FDCP). The project was introduced on a staggered basis at 44 family court locations in British Columbia between January and December 2003. The study has involved gathering data on six of the earliest established of these locations (Surrey, Prince George, Kelowna, Victoria, Nanaimo and Kamloops). It has consisted of 22 key respondent interviews with judges, registry supervisor or clerk, and two duty counsel from most of the sites, and 300 client interviews drawn randomly from the six sites.

### Overall client population at the six sites:

- Overall, 1,393 client cases in the period March 1<sup>st</sup> to mid-October 2003 were identified and forwarded from the six sites.
- Approximately 20% (279/1393) of these overall cases could not be used in the study, for lack of necessary contact or client permission information.
- The sample for this client survey consisted of 300 respondents drawn from cases in the period March 1 to December 31, 2003.

### Client feedback:

#### *Demographics*

- 58% (175/300) were female
- 52% (115/219; NR=81) had high school graduation or less
- 31% (69/221; NR=79) were unemployed
- 22% (57/259; NR=41) had previously seen a lawyer
- 55% (143/259; NR=41) had previously seen a FJC
- 50% (130/262; NR=38) had attended a Parenting After Separation workshop

#### *Major issues*

- 66% (198/299; NR=1) of cases involved custody and access matters
- 47% (142/299; NR=1) of cases involved child maintenance

#### *Knowledge*

- 60% (179/297; NR=3) of clients said they had not known a duty counsel service was available in family matters prior to their arrival in the court house. Forty percent (118/297; NR=3) had known about the service prior to arrival. This group identified a significant range of information sources about the project.
- 66% (196/298; NR=2) of clients felt the lawyer and/or acknowledgement sheet adequately explained the parameters of the service

*Primary Duty Counsel Services*

- 74% (221/300) of cases involved explaining legal issues
- 65% (194/300) involved explaining procedures
- 55% (166/300) involved actual assistance in court
- 36% (106/298) of clients claimed that the lawyer informed him/her that he/she could come back for further service (20% could not remember)
- 31% (95/300) actually did return
- Only 11% (32/295) of clients stated that the duty counsel gave him/her information about websites or written materials. Another 25% (75/295; NR=5) were not informed about websites, but felt this would have been useful had it been done.

*Outcomes*

- In 35% (105/299) of cases the immediate outcome was that the duty counsel got or prevented a court order for the client; in 21% of cases (62/299) at this stage the client was referred to another service; in 24% (62/299) the client was given information with the expectation of proceeding on his/her own; in 14% (42/299) counsel arranged an adjournment.
- At the time of the evaluation interview with clients (2-6 months after duty counsel service), 39% (118/300) of cases were still incomplete. Of the completed cases, 74% (134/182) involved a court order. A further 12% (20/182) were resolved by JFC, the client, or by other means. Only 10% (19/182) were abandoned.
- These outcomes reveal quite a different pattern to that of the Enhanced Family Duty Counsel Project (EFDCP) at Robson Street courthouse in Vancouver, which has more diversified outcomes. Specifically, 45% of EFDCP outcomes were court orders compared to 74% for the provincial sites; 16% of EFDCP outcomes were information only versus 2% for the provincial sites, and 15% of EFDCP outcomes were non-court resolutions versus 10% for the provincial sites. These differences reflect the contribution of the advice counsel component in the EFDCP.

*Satisfaction*

- Overall satisfaction ratings by clients of various aspects of the FDCP service were moderately positive (in the 5.0 – 5.4 range on a 7 point scale, where 1 is low and 7 high). The overall average client satisfaction rating with the service was 5.5 on the scale (1=very dissatisfied and 7= very satisfied), with 76% of responses above the mid-point.
- The satisfaction ratings for the provincial sites were between .1 and .9 lower than those for the EFDCP in all but two of the eight items.

**Key respondent feedback:**

*Judges (N=5)*

- All of the five judges interviewed spoke very positively about the impact and utility of the FDCP.
- Principal advantages were seen to be keeping the “emotional temperature” in the court down, encouraging a collaborative atmosphere geared to resolution of cases, requiring fewer and/or shorter hearings, reducing court lists, helping clients understand procedures.
- Two judges stated that it would be preferable to have FJC services on site together with the FDCP.

*Registry staff (N=6)*

- Were uniformly supportive of the project.
- Principal advantages for registry staff were being able to direct clients to an immediately accessible resource to answer legal inquiries.

*FDCP counsel*

- Felt that a majority of clients understood the parameters of service, but that a significant minority likely did not. Clients seemed nonetheless appreciative of “whatever they could get” in the way of legal assistance.
- The primary factors impacting time spent with clients were whether the other party was present (and therefore whether negotiations were involved), whether there was a hearing, and the number and complexity of issues. Time estimates ranged from a couple of minutes to approximately an hour.
- Most but not all counsel informed clients that they could return for a subsequent visit, even if their matter was not in court.
- Several counsel identified characteristics which helped make a Family Duty Counsel “productive”. Most of them stressed a resolution-oriented, collaborative approach (involving the other party) in their dealings with clients.
- Approximately two-thirds of counsel wrote down – or encouraged the client to write down – next steps that the client should follow in their case.
- Only one counsel gave clients information pamphlets on a legal matter, and three of the eleven gave clients resource sheets identifying services or websites.
- Almost all counsel identified the lack of interview rooms as an inconvenience in dealing with clients. (The issue was also identified by some judges.)
- Several counsel stated they would like to have the capacity to offer brief services to clients (i.e. to offer more extended advice and assistance with documents, as advice counsel).
- The use of Elizabeth Fry volunteers intake workers was seen as an important contribution in two sites, and in a third site the counsel felt that intake assistance would be a considerable enhancement of their services.
- Several counsel advocated for one or more combinations of services (e.g. legal aid, FJC, LINKS kiosks) to be housed in the court complex as a way of facilitating cross-referrals, triage and supplementary information for clients.

**Recommendations:**

1. *That the LSS provide ongoing support for this model.*
2. *That the LSS consider incorporation of an enhanced duty counsel model involving advice counsel on one or more days per week depending on client volume and the availability of ancillary services at each location.*
3. *That approaches to on-site collaboration between FDCP and FJC services be explored with a view to facilitating cross-referrals.*
4. *That FDCP counsel be encouraged to complete "Next Step" sheets for clients wherever possible..*
5. *That FDCP counsel be trained in identifying relevant family law websites and public access kiosk locations, and encouraged to inform clients of these resources where appropriate.*
6. *That duty counsel systematically inform clients of their right to return for advice at appropriate times.*
7. *That selection of counsel for FDCP locations include as significant criteria an orientation towards a collaborative approach to resolving client disputes, and an orientation towards developing client skills and knowledge to support self-litigation.*
8. *That, wherever possible, LSS attempt to secure interview rooms for duty counsel.*
9. *That the FDCP explore the use of volunteers to help complete the client acknowledgement and client information forms.*
10. *That the client information form be reduced in length.*
11. *That signage, advance advertising and/or Registry information be provided to clients should emphasize the importance of bringing any relevant forms, documents or financial information when they come to the court expecting to see duty counsel.*

## 1.0 INTRODUCTION

### 1.1 Background

This is the final evaluation report of the Family Duty Counsel Project (FDCP), a service that as of December 2003 had been introduced in 44 Family court locations in the province. This study focuses on six of these centres which were implemented earliest:

- Surrey (January 2, 2003)
- Kelowna (April 2, 2003)
- Victoria (March 5, 2003)
- Nanaimo (March 5, 2003)
- Kamloops (April 24, 2003)
- Prince George (February 3, 2003)

This report presents:

- A description of the study methodology (Section 2.0).
- Quantitative or qualitative data gathered from 300 interviews with clients in each of the six locations (Section 3.0).
- Qualitative feedback from 22 key respondent interviews with a judge, registry staff and FDCP counsel in each location (Section 4.0). These interviews were conducted in October and November 2003 for an interim report submitted November 28, 2003. No further interviews were undertaken for this final report, but this section is reproduced here for convenience.

### 1.2 Project Overview

Duty counsel services are usually provided by two counsel at each site on scheduled list days in cases involving the Child Family and Community Service Act (CFCSA), Family Relations Act (FRA), Family Maintenance Enforcement Program and Family Maintenance Programs. In Surrey a third counsel is provided on FRA list days.

The Surrey, and more recently, Port Coquitlam FDCP are the only projects which also have advice counsel on scheduled days to meet with clients on an appointment basis, or on a drop-in basis if time is available. If clients are eligible financially, they can receive brief services such as extra guidance with forms and applications needed for subsequent court appearances. As there is no secretarial help at any site, client files are not developed or maintained centrally.

## 2.0 METHODOLOGIES

Two methodologies were used in this study. The first was a set of interviews conducted in October and November 2003 with 22 key respondents. Interviews were targeted with one judge (usually the administrative judge), a registry supervisor or clerk, and two counsel (either an LSS staff lawyer, contract lawyer or roster lawyer) at each site. One judge and one lawyer did not participate in the interviews. A summary of key findings from these interviews is presented in section 4.0. The interview guides are shown in Appendices 1-3. The second methodology was a survey of a representative group of clients who used family duty counsel services in the six sites between March 2003 and December 31, 2003. A sample of 300 clients were interviewed by telephone between two and six months following their contact with duty counsel. The client interview questionnaire is shown in Appendix 4.

Table 1 shows the overall population of FDCP during the 10 month study period, the number of unusable cases, and the sample size by community. Fully 20% (279/1393) of the acknowledgement forms used as the basis for drawing a sample were unusable for reasons noted in the table. These problems were particularly acute in Nanaimo where no phone number was recorded for 63% (73/115) of clients. This has resulted in a significant underrepresentation of Nanaimo cases relative to that location's proportion of the overall population of cases. Although Surrey has the largest absolute number of cases, its sample size is an under-representation of its population; the Victoria sample is commensurately over-represented.

In most instances the small number of cases in Nanaimo, Prince George and (to a lesser extent) Kelowna makes it impossible to make inter-site comparisons for these locations, because the number of cases in any given cell is too small. This fact does not invalidate the representativeness of the sample overall, but is simply a limitation on reporting. Where appropriate, inter-site comparisons are made for the Surrey, Victoria, Kamloops and, in some instances, Kelowna settings.

**Table 1: Population and Sample Proportions by Site**

Site	Total Cases		Unusable Cases	Net Usable Cases		Sample Interviewed	
	Frequency	%		Frequency	%	Frequency	%
Nanaimo	115	8%	75	40	4%	8	3%
Surrey	693	50%	86	607	54%	133	44%
Victoria	249	18%	59	190	17%	81	27%
Kelowna	132	9%	16	116	10%	28	9%
Prince George	22	2%	2	20	2%	13	4%
Kamloops	182	13%	41	141	13%	37	12%
Total	1,393	100%	279	1,114	100%	300	99%

Notes 1) Reasons why cases were unusable: 252 no phone number on client acknowledgement sheet, 4 no client signature, 1 no client name, and 22 no paragraph on the client acknowledgement form giving permission to be interviewed.

2) Percentages do not necessarily total 100% due to rounding.

Table 2 shows the results of contact attempts to conduct evaluation interviews. In fully a third of cases, the phone number given on the information sheet was no longer in service, was incorrect or there was no person by the given name at the number listed. In 18% of cases the interviewer was able to reach the household but not the client despite repeated attempts (up to 6 calls), or the individual failed to be present one or more times at a scheduled interview time. Only 7 individuals refused to do interviews, 2 for reasons of language.

In a small number of cases, the response to the interviewer's call suggested that errors had been made in cases that were forwarded. Two were with respondents who had been served by duty counsel but were under age 19. As soon as this was determined, the researcher explained that she could not proceed with the interview. Another three had already done an evaluation survey. These individuals must have seen duty counsel on several different occasions. Since there is no filing system kept by duty counsel there was no reliable way of eliminating repeat clients, so in some cases the same client name was forwarded to the evaluation researchers twice. This suggests also that the number of clients is slightly less than the "net usable cases" shown in Table 2. A final non-included category was 3% of individuals who claimed they did not use duty counsel. Some individuals claimed they had completed the form and had intended to see duty counsel, but their case was heard before they had the opportunity. Other possible explanations for this claim are embarrassment at needing the service or talking about it in front of another family member, an error by duty counsel, genuine confusion about what party was seen, or desire to avoid an interview. In any event, the researcher did not try to second guess the individual when this response was given.

Analysis of the contact results by location shows that contact attempts with Surrey clients involved both a moderately higher rate of numbers not in service and a significantly higher rate of repeated unsuccessful attempts than in Victoria. These factors contributed to the under- and over-representation in the two communities mentioned above.

**Table 2: Contact Attempts and Results for Client Interviews**

Total population of usable cases (from Table 1): 1,114		
Total number of clients with whom contact attempted: 691 (62%)		
OUTCOME OF CONTACT	FREQUENCY	PERCENTAGE
Interview completed	300	43%
No phone, incorrect number, number not in service, wrong name	238	34%
Contact made at telephone number, but repeated attempts to reach appropriate person or to book the interview unsuccessful	122	18%
Person claimed they did not use duty counsel	19	3%
Refusal to do interview	7	2%
Had already done survey (had used service more than once, and name was forwarded in error)	3	--
Under age (should not have been in sample)	2	--
Total contacted:	691	100%

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## 3.0 CLIENT FEEDBACK

This section presents data from 300 interviews with a sample of clients who used the EFDCP between March and December 2003.

### 3.1 Profile of Clients and their Legal Matter

Table 3 presents data on various demographic variables of clients. These data were intended to be collected on the Client Information Form completed by duty counsel. However, in most cases these data were not collected, primarily because of the time-pressured circumstances in which counsel worked in court. Whenever possible, the researchers collected these data during the evaluation interview. Completeness of data depended on the variable. For the variable “financial eligibility”, data were available in only 40% of cases; however, for all other variables they were available for 73% or more of cases.

Table 3 describes the major issues involved in the client’s legal matter handled by duty counsel. Custody and Access and child maintenance are clearly the primary issues.

Key patterns that are evident in this table are:

- The majority of clients are female, are financially eligible for assistance by LSS legal aid criteria, are overwhelmingly of Canadian citizenship, are employed full-time, and have not seen a lawyer prior to duty counsel.
- Approximately 50% have only high school graduation or less, but there is an equal proportion of clients with some technical or higher education.
- Slightly over 50% have seen a family justice counselor, and 50% have attended a Parenting After Separation workshop.

Other points that are not presented in the table, but rather result from further data analysis, include the following:

- Analysis of clients for whom there is both financial eligibility and employment data reveals that 53% (25/47) of full-time employed clients are assessed as financially eligible. These “working poor” clients thus lack financial resources, but need in many cases to juggle work schedules or actually miss work to attend court. The provision of an immediate, one-step service is thus likely of considerable significance.
- The two types of case issues in which the percentage of males was almost equal to or exceeded females were child maintenance (49%; 69/142) and maintenance enforcement (61%; 27/44).
- The issues in which a majority of clients had not seen a family justice counselor were spousal maintenance, maintenance enforcement, divorce and child protection (child removal/threat of removal). None of these issues are central to the FJCs’ mandate, so if a client saw a FJC, it was likely concerning another, more primary issue such as custody and access or child maintenance.
- The issues correlated with the highest participation in Parenting After Separation (PAS) workshops were custody and access, child maintenance and “other” cases (most commonly to do with guardianship).

**Table 3: Profile of Clients**

PROFILE ITEM AND RESPONSE	FREQUENCY	PERCENTAGE
Financially Eligible? (N=121; NR=179)		
Yes	83	69%
No	38	31%
Gender (N=300)		
Male	125	42%
Female	175	58%
Age (N=263; NR=37)		
Under 29	51	19%
30-39	110	42%
40-49	74	28%
50 +	28	10%
Citizenship (N=271; NR=29)		
Canadian	261	96%
Other	10	4%
Education (N=219; NR=81)		
Less than grade 12	40	18%
High school graduation	75	34%
Some technical or university	81	37%
University graduation	23	11%
Employment (N=221; NR=79)		
Unemployed	69	31%
Part-time	19	9%
Full-time	133	60%
Whether client has seen a lawyer (N=259; NR=41)		
Yes	57	22%
No	202	78%
Whether client has seen a family justice counsellor (N=259; NR=41)		
Yes	143	55%
No	116	45%
Whether a client has attended a parenting after separation workshop (N=262; NR=38)		
Yes	130	50%
No	132	50%

Source of data: Client Information Forms and/or Client Survey.

**Table 4: Major Issues in Client's Legal Matter**

Issue Type	Frequency (N=299; NR=1)	Percentage
Family Violence	23	8%
Custody and Access	198	66%
Child Maintenance	142	47%
Spousal Maintenance	10	3%
Maintenance Enforcement	44	15%
Property Division	5	2%
Divorce	9	3%
Child Removal / Threat of Removal	23	8%
Other	29	10%

Source: Client Survey

Notes:

1. More than one answer possible, so percentages do not total 100%. Since the total number of issues totals 483, there was an average of 1.6 issues per case.
2. "Other" issues included guardianship (10) restraint order (3), maintenance arrears (3), extra expenses calculations (3), paternity (2), ex parte order (2), and 6 individual items. Many of these issues could logically have been included in other categories in the table, so are not significant.

**3.2 Initial Client Knowledge About Duty Counsel Service**

Forty percent (118/297; NR=3) of clients said they knew about the FDCP prior to arriving in court. As shown in Table 5, there were a large number of referral agents. The largest single information source was the family justice counselor (19%), followed by some form of social service (12%), the court registry clerk (11%) and friends or family (10%). On one hand, the fact that 40% of clients knew about FDCP prior to coming to court suggests that word has spread relatively rapidly about the service (which for any given location, had been operating for only three to six months). On the other hand, the wide range of referral agents emphasizes the importance of advertising the service with intermediaries.

For the sixty percent (179/297; NR=3) who did not know about the FDCP prior to arriving in court, Table 6 shows that the Registry Clerk, Judge and Duty Counsel him/herself are the primary conveyors of information. Referrals by judges were particularly high at the Surrey and Victoria sites (38% and 39% respectively).

There were considerable differences across sites in regard to the extent of advance knowledge about the program (from 25% to 54%).

**Table 5: How Clients Found Out About the FDCP Prior to Coming to Court**

SOURCE OF REFERRAL OR INFORMATION ABOUT FDCP	FREQUENCY	PERCENTAGE
Family Justice Counsellor	21	19%
Social Service Department or community organization (family services, MCFD, transition house, MSS, Salvation Army, single parent resource centre).	14	12%
Court Registry Clerk	12	11%
Family / friend	11	10%
Client found FDCP on own	10	9%
Legal Services Society	9	8%
Judge	7	6%
Lawyer	7	6%
Other justice services (RCMP, sheriff, PAS, FMEP)	7	6%
Previous usage of service	6	5%
Other	5	4%
Don't remember	4	4%
	113	100%

Source: Client Survey

Note: 118 clients said they found out about FDCP prior to coming to court, so 5 persons did not respond to this question.

**Table 6: How Clients Who Did Not Know About FDCP Prior to Court Found Out About FDCP While at Court**

SOURCE OF INFORMATION ABOUT FDCP	FREQUENCY	PERCENTAGE
Registry Clerk	49	27%
Judge	46	26%
Duty Counsel approached client	34	19%
On own	8	4%
Other lawyers	7	4%
Friends	3	2%
Mediators	3	2%
Elizabeth Fry	3	2%
Other (LSS, social worker, police, interpreter, another client)	8	4%
Don't know	18	10%
	179	100%

Source: Client Survey

When first meeting with the duty counsel, clients are given an acknowledgement sheet which describes the overall nature and limits of the services duty counsel can provide. Table 7 shows that even though the majority of clients felt that the lawyer and information sheet completely explained the type of help the client could expect to receive, a significant minority (34%) felt they only partially understood, or not at all, the parameters of service.

Among clients who gave reasons why they felt the explanation was unclear, 37% (33/89) stated the explanation was too rushed, and 27% (24/89) felt that they were simply being told there was little help they could get (“told could see duty counsel only for matters we could agree on”; “basically no help”; “explained, but couldn’t help”). Interpreting this second category, it appears that in many cases duty counsel very clearly stated the limitations of the service, but that clients found it difficult to accept that the limitations were so decisive. A third category of reasons (11/89) was that the client was stressed and confused (“didn’t understand the process I needed nor the repercussions of getting an order”; “it was all confusing”; “honestly, it was stressful, and I was not paying full attention”).

**Table 7: Whether Duty Counsel and/or Information Sheet Adequately Explained Help Client Could Expect to Receive**

WHETHER EXPLANATION WAS ADEQUATE	FREQUENCY	PERCENTAGE
Yes, completely	196	66%
Only partially	65	22%
No, not at all	37	12%
Total	298	100%

Source: Client Survey

### 3.2.1 Use of FJCs and PAS in Surrey prior to Duty Counsel

Surrey is a Rule 5 site, where the court requires the client to meet with a FJC to explore the option of mediation. This is done in cases where the issues include family violence, custody and access, child maintenance and/or spousal maintenance, except where there is an emergency.

Ninety-five cases with these characteristics were considered, with the following results:

- 21% (20/95) of clients said they met with a FJC in the triage process
- 23% (22/95) actually attempted mediation to resolve their problem (a couple of these cases may have actually occurred after seeing duty counsel)
- 11 of the 22 mediated cases (50%) did not resolve the issues; 5 reached a verbal or written agreement; 2 didn’t get an agreement but clarified issues; 4 felt the mediation helped in some other way

Surrey clients were also asked about whether they attended Parenting After Separation workshops prior to seeing duty counsel. Of 88 whose case types were relevant to PAS, 11 (13%) went to a workshop prior to seeing duty counsel. (As shown in Table 3, 50% of clients said they went to PAS, so most did so after seeing duty counsel.) The 11 clients were asked whether they felt PAS helped them to deal with their problem when they saw duty counsel. Eight replied and, of these, four felt that PAS had helped in this way.

### 3.3 Services Provided by Duty Counsel

Table 8 outlines the types of services which the client claims were provided to him/her by the duty counsel. On average, 2.7 services were provided to clients per case. Explaining legal issues and explaining legal procedures featured in approximately two-thirds of cases. The duty counsel assisted the client directly in court in over half the cases.

The emphasis on certain types of activities differed depending on sites. For example, direct assistance in court was higher in Kamloops (76% of cases; 28/37) than in all other sites, but counsel's explanation of issues or procedures (51%; 19/37) or help in completion of applications (5%; 2/37) was lower than all other sites. Surrey had the lowest rate of direct assistance in court (47%; 63/133), but a high rate of explaining legal issues (77%; 102/133) and of explaining procedures (68%; 90/133) and over double the rate of helping to complete court applications (47%; 62/132) than any other site. These emphases in Surrey are likely attributable to the availability of advice counsel in addition to duty counsel at the site. This allows greater latitude for counsel to "help the clients help themselves" and to spend more time than is available to duty counsel to explain points of law and procedures.

**Table 8: Services Provided by Duty Counsel to Clients**

Type of Service	Number of Cases In Which This Service Was Provided (N=300)	Percentage of Cases in Which This Service Was Provided
Assisted client in court	166	55%
Referred client to other service	61	20%
Explained legal issues	221	74%
Explained procedures, what to do	194	65%
Helped complete a court application	90	30%
Negotiated with other side	67	22%
Assisted in case conference	14	5%

Source: Client Survey

Note: More than one answer possible, so percentages do not total 100%

Although duty counsel were instructed to tell clients that they can return to the court to talk with them on another day, as shown in Table 9, in practice these instructions appear to have been given in less than half the cases. The table also shows that in fact 31% (95/300) of clients actually did return one or more times. The rate of return visits was significantly higher in Surrey (46%; 61/132) than in any other site (the other sites ranged from 14% to 32%). This is likely due to the fact that Surrey, as explained above, has an advice counsel component, and is therefore more able to help the clients handle their own case through successive visits.

As shown in Table 10, in only 11% (32/295) of cases duty counsel gave clients information about websites or written materials. Although over half of the 295 respondents felt it was not necessary to access website information, a quarter felt it would have been helpful had it been offered. Twenty of the 32 clients (63%) who were told about the websites actually did access the site. An additional six persons found the website on their own without being told. Of this combined total of 26 who actually visited a site, 88% (22/25; NR=1) felt it was a useful resource. These results suggest that for some clients supplementary material (either in hard copy or on websites) can be a useful aid in developing their own case, but that currently duty counsel are not identifying all potential users of these resources.

In the latter two-thirds of the study, clients were asked whether the lawyer gave them any written instructions about the next steps that needed to be taken in their case. In the study of the Enhanced Family Duty Counsel Project (EFDCP), approximately half the clients were given such instructions, and 80% considered them useful. In the provincial sites the practice is less common: 17% (33/199) of clients said they were given written instructions, and an additional 3% were helped to write out steps for themselves. However, as with the EFDCP, 80% of clients receiving those instructions found them useful, and almost all followed them. It would therefore appear useful to increase the use of written instructions by duty counsel whenever feasible.

**Table 9: Return Visits by Clients**

Question and Response	Frequency	Percentage
1. Did lawyer tell client he/she could come back for advice when matter was not in court? (N=298)		
No	133	45%
Yes	106	36%
Can't remember	59	20%
2. Overall, how many times did client use the same or different duty counsel? (N=300)		
Once	205	68%
Twice	58	19%
Three times	25	8%
Four times	12	4%

**Table 10: Whether Duty Counsel Lawyer Gave Client Information About Websites or Written Materials**

Client Response	Frequency	Percentage
No, but could have been helpful	75	25%
No, but was not necessary	188	64%
Yes	32	11%
<b>Total</b>	295	100%

Source: Client Survey

### 3.4 Immediate Outcomes

Table 11 summarizes the immediate outcomes of the service. The major outcome was the achievement or prevention (whichever was desired) of an order by the duty counsel. The vast majority of the 120 orders were either interim consent orders (52%, 59/114; NR=6) or final consent orders (38%, 43/114; NR=6).

Of the 62 clients who identified the referral that was made for them, the main categories were LSS (26%, 16/62), the private bar (26%, 16/62) and FJCs (21%, 13/62). Seventy percent (42/62) of clients followed through on the referral. Reasons for not going to the referral service varied (had already been to the resource, lawyer was too expensive, other party not interested, decided on other strategy, issues settled or case abandoned).

Of those who followed through on the referral, 74% (31/42) found it useful. The main positive reactions were to mediation and private lawyer referrals for solving the issue; the main negative reactions were also to private lawyers (for reasons of cost) and LSS (for reasons of non-eligibility).

**Table 11: Immediate Outcomes**

Immediate Outcome	Frequency (N=299)	Percentage
Duty Counsel got/prevented court order for client	105	35%
Duty Counsel tried, but failed to get/prevent court order for client	8	3%
Client got/prevented court order on own	17	6%
Client tried, but failed to get/prevent court order on own	2	1%
Client referred	62	21%
Duty Counsel arranged for an adjournment	42	14%
Client only wanted information; no expectation for further action	10	3%
Client given information, and was intending to proceed on own	72	24%
Case abandoned	7	2%
Other	58	19%

Source: Client Survey

- Note:
- 1) More than one answer possible, so percentages do not total 100%
  - 2) "Other" comments are predominately qualifications of previously identified outcomes, or describe aspects of the case that are still pending (e.g. new court date, helped with case conference, filed paperwork, mediation).

In the few cases that were abandoned at the immediate stage, all but one were for reasons that would likely be considered negative by the client (e.g. money, stress, length of process, disruption of client's life). However, half of those clients felt that the duty counsel did all they could reasonably do, whereas three felt that having the same duty counsel on subsequent visits, providing more encouragement and more information would have helped.

### 3.5 Final Outcomes

Most of the immediate outcomes described in the previous section were temporary in nature, and carried an expectation that more steps would be taken; a court order which was an interim or procedural order, a referral which was intended to assist the client to take a subsequent step, or information provided by duty or advice counsel which was intended to help the client take next steps on their own.

Table 12 shows that 225 of the 300 cases (75%) ultimately involved further steps. Even results at the immediate stage that had the appearance of a final result (e.g. a final order, "case abandoned", or "information only, no expectation of further action") often went on to a subsequent outcome. This fact simply emphasizes the constantly shifting and fluid dynamics of family cases. It also suggests that "final outcomes" presented in this table will, in some cases, likely not remain "final outcomes", or that the current status of a "still pending" case may become a final outcome.

The table shows that 39% of all cases (118/300) were still not complete at the time of the interview, 2-6 months after the provision of duty counsel services. Of the completed cases, 74% (134/182) involved a court order. Of the court orders that the client could specify at this stage, 69% (38/55) were final orders, and 31% (17/55) were interim. Of the remaining completed cases, a further 12% (20/182) were resolved by FJC, by the client, or by other means. Only 10% (19/182) were abandoned.

Of interest from the standpoint of self-litigation are final outcomes for clients who were given information or other assistance at the immediate stage and were expected to proceed on their own. There were 72 such cases (as per Table 11) and 67 clients in these cases provided feedback at the final outcome stage. Half of these cases (34/67) were still pending. Of the remaining 33 cases, 16 involved a court order, 11 resolution by other means, and only 6 were abandoned.

Comparison of final outcomes at the six provincial sites can be made with similar data from the study of the Enhanced Family Duty Counsel Project (EFDCP) model at Robson Street Courthouse in Vancouver. Table 12 shows that 74% (134/182) of cases in the provincial sites that reached a final outcome involved a court order, compared to 45% (77/173) in the EFDCP (see p.20, Table 13 in EFDCP study). This outcome is not surprising given that the EFDCP model involves a significant information component offered by advice counsel. Only 2% of provincial outcomes versus 16% of EFDCP outcomes involved information only. Non-court resolution in the EFDCP comprised 15% of cases, versus only 10% provincially. Case abandonment was virtually the same in both models (10% for provincial, 9% for EFDCP), but this outcome had a more predominantly negative tone in provincial cases than in the EFDCP cases.

**Table 12: Final Outcomes**

Type of Outcome	Immediate Outcome Remains as Final Outcome	New Final Outcome	Total Final Outcomes		
			Frequency	Percentage of Overall Cases	Percentage of Completed Cases (N=182)
Court order	67	67	134	45%	74%
Resolved by FJC	--	4	4	1%	2%
Resolved on own	--	8	8	3%	4%
Resolved by other means (FMCP, lawyer, case conference, other party abandons)	1	7	8	3%	4%
Information only; no expectation of further action	4	--	4	1%	2%
Case abandoned or indefinitely adjourned	3	16	19	6%	10%
Client lost case	--	2	2	1%	1%
Other unspecified	--	3	3	1%	2%
Final outcome still pending	--	118	118	39%	--
	75	225	300	100%	99%

Source: Client Survey

Note: Percentages do not necessarily total 100% due to rounding.

### 3.6 Satisfaction

Clients' average ratings of various dimensions of the service they received are presented in Table 13. Some perspective on these ratings can be achieved by comparing them with identical items in the EFDCP. Average ratings for all items except two are higher in the EFDCP than in the provincial sites. They are most markedly higher for EFDCP in the clarity of lawyer's explanations of legal issues (5.8 versus 5.4), clarity of lawyer's explanations of next steps to take (6.1 versus 5.2) and overall satisfaction with service (5.8 versus 5.5). These three items likely reflect the greater amount of time than can be directed to cases through the provision of EFDCP's advice counsel, the more extensive use of "next steps" sheets by EFDCP, and the fact that duty counsel services in provincial sites are often provided in very compressed timeframes.

EFDCP average ratings slightly exceeded those of the provincial sites for helping the client achieve a resolution to their issues (5.2 versus 5.1), achieving them faster (5.2 versus 5.0) and helping the client feel more prepared (5.3 versus 5.1). One might expect closer ratings in these items because the client is equally dependent on the pace of court scheduling and procedures in both models.

EFDCP and the provincial sites had identical ratings (6.0) for assistance provided in filling out documents, but in each case respondent were restricted to those clients who had documents to fill out. The provincial site rating exceeded that of the EFDCP (5.3 versus 5.2) for helping the client feel more confident in dealing with his/her issue. This is perhaps to be expected because duty counsel in the provincial sites usually appear for the client. Although this is also true for duty counsel in the EFDCP, the rating includes service by advice counsel. The advice counsel spends more time preparing clients to be self-litigants, which requires a higher measure of confidence than appearing together with duty counsel.

**Table 13: Client Ratings of Service and Satisfaction**

ITEM RATED, AND RATING DIMENSIONS ON 7-POINT SCALE	NUMBER OF RESPONDENTS (N=300)	NUMBER & PERCENTAGE WHOSE RATING WAS:			AVERAGE RATING
		1 – 3	4	5 - 7	
1. How clearly the lawyer explained to client the legal issues that applied to their case. 1=not clearly at all; 7=very clearly	286	43 (15%)	19 (7%)	224 (78%)	5.4
2. How much help the client received from the lawyer in guiding them to fill out forms or documents 1=no help at all; 7=a lot of help	112	13 (11%)	5 (4%)	94 (84%)	6.0
3. How clearly the lawyer explained to client the next steps that were needed in his/her case. 1=not clearly at all; 7=very clearly	242	55 (23%)	15 (6%)	172 (72%)	5.2
4. Client's assessment of project's effectiveness in helping him/her achieve a resolution to his/her issues. 1=not effective at all; 7=very effective	259	64 (24%)	12 (5%)	183 (71%)	5.1
5. Client's assessment of project's effectiveness in helping him/her achieve a resolution faster than had he/she not used the service. 1=not effective at all; 7=very effective	201	55 (26%)	4 (2%)	142 (70%)	5.0
6. Client's assessment of project's effectiveness in helping client feel more confident in dealing with issue in his/her case. 1=not effective at all; 7=very effective	276	63 (22%)	11 (4%)	202 (73%)	5.3
7. Client's assessment of project's effectiveness in helping him/her feel more prepared. 1=not effective at all; 7=very effective	262	60 (23%)	12 (5%)	190 (72%)	5.1
8. Overall client satisfaction with the service. 1=very dissatisfied; 7=very satisfied	298	46 (15%)	23 (8%)	229 (76%)	5.5

Source: Client survey

Note: The overall number of respondents was 300. In many cases there were some respondents who did not answer some of these questions, which account for the varying number of respondents. There were significantly fewer respondents for item 2 because the question was frequently not applicable to the client's case (i.e. no documents or appointments were required).

Respondents provided additional feedback on the first three items in Table 13.

- *Clarity of explanation of legal issues (N=89)*

Although the overall quantitative ratings were strongly positive, negative qualitative comments (N=49) slightly exceeded positive ones (N=40). Positive comments were usually appreciative but unspecific, or simply repeated the concept of clarity (“top notch”, “a very good job”, “100% help”, “very clear”, “incredible help”). A few comments contained additional qualifiers (“duty said it how it is, was blunt but fair”, “was difficult situation, he was patient, but not much time”, “duty made sure I understood”).

Negative comments focused on three areas that reduced clarity of explanation. The first was that duty counsel gave less help than desired by clients or – in the perception of the client – the information counsel gave them was wrong (N=20) (“no help”; “duty answered minimally, not that precise”; “gave bad advice”; “I realized at the end he had it all worked out beforehand”; “I was getting different information from different sources”; “one duty told me one thing and the judge told me another”). The second (N=18) was that there was too little time to receive clear information (“in 5 minutes of time!”, “really rushed”; “was in a hurry, so not enough time to clearly explain”; “difficult, as there was very little time, I hadn’t been in court before, I didn’t understand procedures, but there was no time to ask questions”). The third (N=10) was that the client had difficulty absorbing information because he/she was confused and/or stressed (“I was stressed, hard to take it in”; “I wasn’t familiar with the lingo, there’s a lot of information, but it’s still useless in helping”; “duty made me feel dumb in the way that they explained”).

- *Help with filling out forms or documents (N=35)*

There were few qualitative comments, the vast majority of them positive (29/35). Most of the positive comments were non-specific (“very helpful”, “did all that he could”; “duty made sure it was done properly”), while others emphasized the helpful function of checking and reviewing the forms or directing the client to the proper forms. A small number of negative comments focused either on the inability of counsel to offer the extent of help desired, or on the feeling that the process was too rushed.

- *Clarity of explanation about next steps for client to take (N=50)*

Qualitative comments in regard to the clarity of explanation about next steps were almost evenly divided between negative and positive. Twenty-four clients gave positive comments and emphasized counsel’s supportiveness or thoroughness, or simply stated the nature of the next steps, including referrals (“thorough”; “duty was very clear, I was very impressed with her”; “got all information for me”; “explained that should adjourn, get more information”). Negative comments (N=26) tended to focus on the rushed nature of the explanation or the confused state of the client (“5 minutes extra would have helped me more”; “would have liked more time to be effective, still had questions, had no details”; “poor – duty counsel was asked to help someone else, so no follow up outside of court”; “I was very anxious, hard to say how clear duty was if he was her only resource – not really”).

Another method of assessing client satisfaction is presented in Table 14, which shows how clients assess their outcomes in relation to their original expectations. Seventy-two percent (112/154) felt that the outcome at the immediate stage (just after seeing duty counsel) was wholly or partly what they had hoped for, and at the final stage 52% (97/186) had this response. Combining all responses over both stages, the positive response was 61% (209/340).

At the immediate stage, the main positive comments related purely to the outcome, i.e. the clients got what they wanted. Among 33 respondents who provided reasons for a negative response, the reasons were disappointment with the result (9/33), the fact that the case was still not resolved at this stage (17/33), and concern about the perceived lack of help received from duty counsel (5/33). At the “final” stage, positive comments were again about having achieved what they wanted. Forty-five of the 73 negative comments at this stage were about the fact that the case was still not resolved, 16 about disappointment with the result, 4 about the perceived lack of help from duty counsel, and 8 involved diverse reasons.

In general, these data re-emphasize the fact that satisfaction with duty counsel service (as per Table 13) does not necessarily translate into satisfaction with the outcomes of the service (as per Table 14). Furthermore, final outcomes, either in court or through secondary interventions by other agents (JFCs, LSS, FMEP, private lawyers), are often not attributable to the inputs of the duty counsel service.

**Table 14: Whether Outcomes Were What Client Hoped For**

Client Reaction	Immediate Outcome Stage		Long Term Outcome Stage		Combined Stages	
	Frequency	%	Frequency	%	Frequency	%
No, was not what originally hoped for	42	27%	89	48%	131	39%
Yes, was what originally hoped for	79	51%	58	31%	137	40%
Was partly what had hoped for	33	21%	39	21%	72	21%
Total responses	154	99%	186	100%	340	100%

Notes:

1. Source: Client Survey
2. Frequencies in the Immediate Outcome and Long Term Outcome stages are of the number of clients. Frequencies in the “Combined Stages) column refer to responses. Overall, these responses are from 263 of a possible 300 individual clients. Of these, 77 answered only at the immediate stage, 109 only at the long term stage, and 77 at both stages.

## 4.0 KEY RESPONDENT FEEDBACK

In October and November 2003, interviews were undertaken with three key respondent groups: judges, registry staff and duty counsel. Although the findings presented below were part of the November 28 Interim Report, they are included here for ease of reference, and because the findings are also relevant for the conclusion and recommendations reported in Section 5.0.

### 4.1 Judges

Judges were interviewed from five sites. Three of the five judges stated that they had solicited responses from other of their colleagues and were thus frequently able to reflect on experiences with duty counsel in more than one family court.

All four judges spoke in superlatives about the impact and utility of the FDCP: "I am a strong supporter of the project.", "It's absolutely spectacular", "phenomenal", "I can say nothing but good about it". More specific observations include the following:

- The FDCP keeps the "emotional temperature" in the court down; one result of this is that it also significantly lessens concerns around security needs.
- Parties who have used the duty counsel begin to see family court as a collaborative rather than adversarial process; the court is seen as more "user-friendly"; parties tend to listen to the judge more readily; cases that are determined collaboratively tend not to re-litigate.
- Matters tend to be resolved without or in shorter hearings, or in a more "professional atmosphere".
- Court lists (especially FRA matters) tend to be reduced (fewer adjournments resulting in cases carried over); there are fewer appearances per case.
- Duty counsel are especially valuable in helping clients understand procedures.
- Judges are required to spend less time on educating the parties and explaining procedures, and can concentrate on hearing cases that are ready to proceed.

One judge said that 95% of the cases in the court in that location were being handled by self-litigants. In this type of context, the role of duty counsel in contributing to the above outcomes is especially significant.

In terms of recommendations, the following were mentioned by one or more judges:

- Ideally, duty counsel should have interview rooms where they and the client have more privacy. Frequently this is an insurmountable logistics and space problem.
- Two judges mentioned that an on-site combination of an FJC and duty counsel service would be preferable; there is a tendency to use duty counsel more readily because they are located in the court complex. Going to an FJC involves a client having to go off-site and also having a delay of at least a week, so judges are more likely to choose the solution that will immediately clear the list, even when they feel a FJC-mediated approach might be appropriate.
- Duty counsel should arrive at least 30 minutes before court and announce their presence, so as many cases as possible can be prepared prior to the court.
- (Where an advice component exists) there is a major add-on benefit of counsel helping clients complete their application or financial documentation. This assistance advances the case to a new level, and likely lessens the frequency with which cases are abandoned.

## 4.2 Registry Staff

A registry supervisor or clerk was interviewed at each of the six sites. The respondents were uniformly supportive of the project, although the impacts on registry functions were not as dramatic as those expressed by the judges. The main feedback can be summarized as follows:

- Having duty counsel available removes pressure registry staff feel from individuals who expect them to answer legal questions. Although the staff are all aware that they cannot respond to such questions, clients frequently do not understand that limitation in their roles.
- Duty counsel are available immediately in the court house. Other referral choices for free legal information or advice (e.g. pro bono clinic, lawyer referral service, internet sites) or for alternative dispute resolution (FJCs) require a greater expenditure of time and a different location, and are therefore viewed as impractical if an individual has an immediate court appearance. The referral process to duty counsel is seen as effortless and smooth.
- In general, FDCP is not perceived as greatly impacting the Registry workload. Although a client who has seen a duty counsel will often leave a more properly completed and relevant application than others who have not received assistance, Registry staff still have to process the application and any resulting order.
- Most registries now have information sheets describing the FDCP and other resources, that they give to individuals who are filing an application or making an inquiry.
- Two registry staff stated that an advice service attached to the FDCP would greatly assist in ensuring that individuals would file relevant and complete applications.
- One respondent noted that there is often an informal networking process that occurs between individuals who have used family court and those who are considering it. Over time, this will become a useful source of referral to the FDCP even prior to an individual's coming to court.

## 4.3 FDCP Counsel

The following are key responses from eleven FDCP counsel at the six sites on a range of themes.

### 4.3.1 Client understanding of limitations of service

- All counsel felt that most clients understood the limitations, but that a reasonable minority likely did not.
- In general, it was felt that clients appreciate whatever they can get, and are therefore not too concerned about the limitations.
- If a client is immediately going into court, the duty counsel usually has less time to explain the parameters of service; if the client is not in court that day, the duty counsel will spend more time explaining limitations, to forestall unreasonable expectations.
- Several counsel stated that the client information form is not helpful and too long to be completed in pressured circumstances.
- A couple of counsel felt that sometimes judges (rather than clients) had service expectations that were beyond that which could be delivered by the duty counsel in their pressured circumstances.
- In at least one site a volunteer worker helps locate individuals requiring duty counsel services and helps them complete the client acknowledgement form.

#### **4.3.2 Client capacities**

Counsel developed a rich array of descriptions to characterize the multi-leveled capacities of their clients to act as self-represented clients. In broad terms the typology is similar to that described by duty counsel in the Interim Report of the Expanded FDCP (Robson Street Court House in Vancouver). The typology will be expanded and presented in the final report for this study.

#### **4.3.3 Time spent with client**

- Counsel estimates of time they spend on cases ranged from one or two minutes (e.g. seeking an adjournment) to one hour.
- The primary variables affecting time spent were:
- Whether the other party was present, and therefore whether a resolution could be negotiated (often would require 45 – 60 minutes). If the other party was not present, average time per client was estimated at 20 – 25 minutes.
- If there was a hearing;
- The number and complexity of issues.
- Most counsel stated that they routinely informed clients that if they were financially eligible they could return on another court day, but stressed that they might not have the same counsel. Several stated that they did not tell clients about the availability of help on a subsequent visit.
- Some counsel were asked what characteristics helped make a family duty counsel lawyer “productive” in his/her role. The following were emphasized:
- A facilitating, helping, resolution-oriented approach;
- Excellent interviewing skills;
- Three or more years’ prior experience in family law matters;
- A fast read on issues (one respondent characterized this skill as being like “triage in an emergency ward of a hospital);
- A real interest in litigants’ issues.
- A good feel for what the court will order in a specific case.

#### **4.3.4 Additional resources given to clients**

Counsel were asked if they used any type of “follow-up” or “next steps” sheet to give clients instruction about what to do next.

- While no counsel had a formal sheet on which to write out instructions, approximately two-thirds would write out simple two or three step notes on what to do next in at least some of their cases.
- Where the service was related to a court appearance that day only, the instructions were usually not necessary.
- Rather than write notes themselves, several counsel encouraged the client to write steps down as their own reminder.

Counsel were also asked about their use of printed or website resources for clients. Only one respondent mentioned giving pamphlets to clients. Three said they gave resource sheets identifying services and websites available to the public, and one said there was a kiosk with internet access to family law websites in the court house.

#### **4.3.5 Structural issues**

Counsel were asked to describe structural factors that have hindered or enhanced their effectiveness as counsel for self-represented litigants. The most frequently identified issues were:

- Almost all stated that the lack of interview rooms affects the privacy of their interview with clients. Much of counsel's activity is conducted in the hallways outside the courtroom, as there are usually too few interview rooms to accommodate private and duty counsel.
- Several counsel stated that they would like to have the capacity to offer brief services to clients (i.e. as advice counsel to give more extended advice, help with documents, etc). Counsel from the one location that does offer advice services (in addition to duty counsel services) felt that this was a significant service to help self-litigants carry their cases to the next step.
- In two of the six locations Elizabeth Fry volunteers acted as intake workers to inform clients about the duty counsel service, and to help clients complete the acknowledgement and client information forms. Counsel considered this service very helpful in ensuring client access and in allowing counsel to concentrate on advising clients. Another counsel in a location without such a worker felt that an intake worker would be a significant add-on contribution to their effectiveness.
- Some counsel felt that more careful selection of roster counsel would aid the overall effectiveness of the FDCP. The characteristics that they felt would be desirable are noted in section 4.3.3.
- The highly supportive attitude of the judiciary towards duty counsel was noted by several counsel. This not only contributed to the validation of their roles in the eyes of clients, it made an otherwise pressurized forum a more rewarding environment in which to work.
- The volume of clients in at least one centre was at a burn-out level for staff (necessitating a third duty counsel at the centre on FRA list days). Intake support at this centre would also likely reduce client frustrations about waiting for advice counsel appointments.
- Several counsel advocated for one or more combinations of services to be housed in the court complex to facilitate cross-referrals. One felt that having FJCs separate from the court complex is considered a disincentive in terms of referrals. In one centre there is a legal aid intake officer in the court complex, which again is considered an advantage for clients to ensure speedier access and resolution of cases. Another counsel stated that there would soon be a LINKS terminal accessible to clients and the general public. Each of these services represented potential for triage and more efficient use of the FDCP itself.

The following Individual comments could well reflect a wider base of sentiment among other counsel, as counsel were not offered a checklist of possibilities:

- Signage, advance advertising, or Registry information provided to clients should emphasize the importance of bringing any relevant forms, documents or financial information when they come to the court expecting to see duty counsel. This would reduce duty counsel time in ascertaining facts and issues.
- Information to clients should also highlight that they can meet with duty counsel before court, rather than arrive at the last minute.
- One counsel felt the lack of access to copying machines lessened their capacity to give supplementary legal information to clients.

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## 5.0 CONCLUSIONS AND RECOMMENDATIONS

### 5.1 Conclusions

The following are the key conclusions that have been presented in the report in the form of findings from clients and key respondents.

#### *Client-Related Findings:*

- There was a high degree of financial need among clients using duty counsel services. Even among clients who were full-time employed, over half met the financial eligibility criteria of the LSS.
- Half of FDCP clients had seen a family justice counselor and attended a PAS workshop. These services contributed in part to the development of the client's understanding of issues and procedures affecting their case. In Surrey, 23% (20/95) of clients interviewed in the latter half of the survey stated that they had attempted mediation to resolve their problem.
- Forty percent of clients knew about the FDCP prior to arrival in court. The extent of this prior knowledge ranged from 25% to 54% across sites.
- A significant minority of clients felt they only partially understood the parameters of the service as explained by duty counsel.
- The three primary services offered by duty counsel are explanation of legal issues (75% of cases), explanation of procedures (65%) and direct assistance in court (55%). Patterns of service varied across sites.
- Although duty counsel were instructed to tell clients they could return to court to talk further, according to clients this information was passed on to them in less than 50% of cases.
- In only 11% of cases duty counsel referred clients to websites or written materials, despite the fact that for a large majority of those that used them, the websites provided useful.
- Similarly, only 17% of clients said duty counsel gave them any form of written instructions on next steps to take, despite the utility of such instructions for most clients.
- In 41% of cases, the immediate outcome as a result of duty counsel service was that either the duty counsel or client achieved or prevented a court order. Two activities were preludes to further steps: referrals (21% of cases) and adjournments (14% of cases). In 24% of cases, clients were given information only, with the expectation they would continue on their own.
- 225 of the 300 cases (75%) ultimately involved further steps. Nevertheless, at the point of the evaluation interview, 39% of all cases were still not complete. Of the completed cases, 74% (134/182) involved a court order and 12% involved a non-court resolution. Only 10% were abandoned.
- Clients rated highly the help received from counsel to fill out forms or documents (6.0 on a 7 point scale), but most of the remaining items (clarity of explanation, description of next steps, effectiveness in achieving a resolution, effectiveness in helping client feel prepared or confident) were only moderately positive (5.0 – 5.4 on a 7 point scale).

- For five of the eight items, the dissatisfaction rate (ratings between 1 and 3) was 22% - 26%. Nevertheless, the overall satisfaction with the service was rated at 5.5 (on a 7 point scale), with a dissatisfaction rate of 15%. On almost all dimensions the provincial sites had lower average satisfaction ratings than the EFDCP, usually by .2 or .3 points. The key critical concern of clients was the lack of time for adequate consultation, especially given the stressful emotions clients were often experiencing.
- Sixty-one percent (209/340) of overall assessments made by clients at the immediate and final outcome stages were that the outcome was wholly or partly what the clients had hoped for.

**Key Respondent Findings:**

- All the judges that were interviewed spoke very positively about the impact and utility of FDCP, mainly in keeping the “emotional temperature” in the court down, encouraging a collaborative atmosphere, requiring few and/or shorter hearings, reducing court lists, and helping clients understand procedures.
- Registry staff also viewed the project positively, mainly because duty counsel represented an immediately accessible resource for clients.
- FDCP counsel felt that a majority of clients understood the parameters of service, but that a significant minority likely did not. Clients seemed nonetheless appreciative of “whatever they could get” in the way of legal assistance.
- The primary factors impacting time spent with clients were whether the other party was present (and therefore whether negotiations were involved), whether there was a hearing, and the number and complexity of issues. Time estimates ranged from a couple of minutes to approximately an hour.
- Most but not all counsel informed clients that they could return for a subsequent visit, even if their matter was not in court.
- Several counsel identified characteristics which helped make a Family Duty Counsel “productive”. Most of them stressed a resolution-oriented, collaborative approach (involving the other party) in their dealings with clients.
- Approximately two-thirds of counsel wrote down – or encouraged the client to write down – next steps that the client should follow in their case.
- Only one counsel gave clients information pamphlets on a legal matter, and three of the eleven gave clients resource sheets identifying services or websites.
- Almost all counsel identified the lack of interview rooms as an inconvenience in dealing with clients. (The issue was also identified by some judges.)
- Several counsel stated they would like to have the capacity to offer brief services to clients (i.e. to offer more extended advice and assistance with documents, as advice counsel).
- The use of Elizabeth Fry volunteers intake workers was seen as an important contribution in two sites, and in a third site the counsel felt that intake assistance would be a considerable enhancement of their services.
- Several counsel advocated for one or more combinations of services (e.g. legal aid, FJC, LINKS kiosks) to be housed in the court complex as a way of facilitating cross-referrals, triage and supplementary information for clients.

## 5.2 Recommendations

Below are eleven recommendations that derive directly from key respondent suggestions in Section 4.0, from consideration of findings from the client survey in Section 3.0, and from recommendations and comments made by clients at the end of each interview. Data related to client recommendations have not been presented in earlier sections of this report, so when appropriate, are provided in the discussion following each recommendation.

1. *That the LSS provide ongoing support for this model.*  
This recommendation should be seen in conjunction with recommendation #2 and is based on several findings. First, the project was overwhelmingly supported by the judges interviewed, who in three cases had also solicited responses from their colleagues. Registry staff also uniformly support the project. Counsel for the project are obviously a self-interested party, but were able to convey clearly ways in which the project was able to help clients who lacked the skills or knowledge to further their own cases without such assistance. Finally, clients, while offering criticisms, were nonetheless appreciative of the service that was provided.
2. *That the LSS consider incorporation of an enhanced duty counsel model involving advice counsel on one or more days per week depending on client volume and the availability of ancillary services at each location.*  
This recommendation was expressed by several judges, registry staff and duty counsel. It is also suggested in response to concerns expressed by a significant minority of clients that they would like more opportunity for consultation, more detailed information or greater clarity from counsel, that they felt too rushed in the court context, and/or that they were too stressed to absorb information quickly.

In the final interview comments, 34% of client recommendations (47/139) related to the need for more time, 20% (28/139) to a desire for more duty counsel on-site, 17% (23/139) to the need for more help from duty counsel, and 15% (21/139) to a perception that expanded legal aid coverage was needed. These recommendations all run together; essentially all are requesting more service. While it is recognized that the FDCP is not intended to be a full support model, from a client standpoint, an expanded model involving an advice component might lessen the sense of pressure and anxiety felt by clients, and might widen their capacity to self-litigate.

A third basis for this recommendation is the fact that in almost all rated items of client satisfaction, the EFDCP model scored higher than the provincial sites.

Finally, in Section 3.5 it was shown that 16% of EFDCP cases involved non-court resolutions, versus 10% of provincial site cases. To the degree that non-court solutions are seen as desirable, the enhanced model may be able to promote them more effectively.

3. *That approaches to on-site collaboration between FDCP and FJC services be explored with a view to facilitating cross-referrals.*  
This recommendation should be seen also in relation to the previous comment about non-court solutions. "On-site collaboration" refers to coordination at or near the court house between the two services to provide maximal opportunity for cross-referrals between FJCs and duty counsel, and to provide a greater range of non-court opportunities for resolution to clients.

This recommendation was voiced by two judges, and several registry staff and duty counsel felt that physical separation of the FJC from the court created a disincentive to use that service to its fullest extent. In Section 3.2.1 it was shown how the prior usage by FDCP clients of FJCs either for triage or for mediation was fairly modest. It was also noted in Section 3.1 that half of the fully employed FDCP clientele are in fact working poor, for whom "one-stop shopping" is financially critical rather than a mere convenience.

It is recognized that philosophically the FJC service wishes to establish clearly that it is a non-court alternative, and that this is easier to do in a location physically separate from the court. This report does not have the mandate to recommend a change either in the FJC philosophy or in its location policy. The intent here is to foster discussion that might lead to more cross-referrals and to increased access for clients to non-court solutions.

4. *That FDCP counsel be encouraged to complete "Next Step" sheets for clients wherever possible.*  
This recommendation is based on findings in Section 3.3 in which few clients said they were given written instructions (despite counsel statements in Section 4.3.4, in which two-thirds claimed they provided such instructions). This may seem an unimportant issue for counsel who are under considerable stress themselves in a crowded court hallway, but for a client who may have to take steps to further their own case, knowing the route is vital. Eighty percent of clients who did receive such instructions found them useful, and almost all followed them.
5. *That FDCP counsel be trained in identifying relevant family law websites and public access kiosk locations, and encouraged to inform clients of these resources where appropriate.*  
Based on data in Table 10 (Section 3.3), it is estimated that for approximately a third of clients website information could be a useful add-on resource, but that at present only 11% are being informed of these resources.
6. *That duty counsel systematically inform clients of their right to return for advice at appropriate times.*  
Although it is recognized that not all clients will need or want to return for advice, and that the current level of demand for service may make it difficult for counsel to service requests for advice, it is currently the policy that clients be informed of this opportunity. As shown in Section 3.3, less than half the clients were given this information.
7. *That selection of counsel for FDCP locations include as significant criteria an orientation towards a collaborative approach to resolving client disputes, and an orientation towards developing client skills and knowledge to support self-litigation.*  
Clearly, legal competence and experience, and specifically experience in family law, are prerequisites to be effective duty counsel. However, as noted by counsel in Section 4.3.3, a facilitative, helping, resolution-oriented approach is especially appropriate for many family matters. In addition, given that duty counsel service is not the same as client representation, it is important that duty counsel conceptualize part of their role as developing and supporting clients' skills, knowledge and self-confidence to self-litigate. Each of recommendations #4, 5 and 6 would be considered as part of that orientation, in that they attempt to increase clarity and support, and reduce stress for the client.
8. *That, wherever possible, LSS attempt to secure interview rooms for duty counsel.*  
Although in most cases implementing this recommendation will be beyond the control of the LSS, it is nonetheless important to emphasize the benefits of privacy for both counsel (see Section 4.3.5) and client. In terms of the latter, the primary client complaint in several disoriented. A private interview room cannot eliminate these stresses, but can provide a greater sense of focus and of being heard.
9. *That the FDCP explore the use of volunteers to help complete the client acknowledgement and client information forms.*  
As noted in Section 4.3.5, Elizabeth Fry volunteers have assumed this function in two sites, releasing duty counsel to concentrate on more primary tasks. This role helps clients avoid misunderstanding about the parameters of service, described in Section 3.2. This type of extension of existing volunteer service may be feasible in other locations.
10. *That the client information form be reduced in length.*  
This recommendation is not based on a systematic analysis of the form and the utility of specific items. Rather it derives from the fact that although the forms are in theory part of the client intake procedures (and were going to be used as part of the data for the evaluation), few of them were completed at the six sites. As noted in Section 4.3.1, several counsel stated that the forms are much too long to be completed in the pressured circumstances in which duty counsel work.

11. *That signage, advance advertising and/or Registry information provided to clients should emphasize the importance of bringing any relevant forms, documents or financial information when they come to the court expecting to see duty counsel.*

This is a recommendation of one counsel in Section 4.3.5. Although it is not a helpful recommendation for clients who only learn about duty counsel after they have arrived in court, as shown in Section 3.2, 40% of clients claim to have known about duty counsel before coming to court. In these instances it is possible to increase client preparedness and therefore the effectiveness of duty counsel in the limited time they have at their disposal. FJCs are the source of information about duty counsel in 20% of cases where clients have advance knowledge of the service (see Section 3.2) It would therefore be helpful for the FDCP to make contacts with FJCs in each community to ask them to give clients instructions about gathering key financial and personal information that may be required by duty counsel.

## **Appendix 1: Guide for Exploratory Interview with Judges**

### **Guide for Exploratory Interview with Judges**

1. In what ways has the provision of duty counsel through the Family Duty Counsel Project (FDCP) affected the operation of the court? For example, has it impacted the amount of court time involved, the ability of the court to resolve cases without multiple adjournments, etc?
2. In addition to their function as duty counsel, the lawyers provide limited summary assistance to all individuals, regardless of financial eligibility, who may wish to proceed as self-represented litigants in various family matters. If the individual is financially eligible, the support can extend to assistance in the preparation of financial statements and affidavits (in FRA matters), or other court documents. Have you seen any impacts of the project's activities on the capacity of litigants to represent themselves or resolve their problems more effectively in family law matters? For example, do self-represented litigants seem better prepared, or are they more able to understand procedures than they would have been without the assistance of the project? Have project activities impacted the amount of court time required to deal with self-represented litigants, and if so, how? (It is recognized that assistance a self-represented litigant has received from the project will not necessarily be made explicit by the individual, so it is often difficult for a judge to know of project involvement in a case. It would be appreciated if you can explain how you are able to assess the impacts on self-represented litigants.)
3. Have you referred a self-represented (or unrepresented) litigant to the project? If so, in what types of circumstance, and with what result?
4. Are there specific resources or information that could make a critical add-on difference to increase the capacity of self-represented litigants?
5. Do you have any other observations or suggestions as to how this project could operate or provide service to clients in ways that would contribute to more effective utilization of Court time?

## **Appendix 2: Guide for Exploratory Interview with Court Registry Staff**

**Guide for Exploratory Interview  
with Court Registry Staff**

1. How project has impacted registry workload and capacity to deal effectively with self-represented litigants. Please identify specific ways in which these changes might be evident or noticeable to you.
2. Have referrals to and from the project gone smoothly? Are any changes in procedures necessary to make this work better? What advantages or disadvantages are there in being co-housed with the project?
3. What are the ways in which the project has affected the capacity of litigants to represent themselves or resolve their problems in family law matters? Do they seem any better prepared or more able to understand procedures than they would have been without the assistance of the project? Please identify specific ways in which these changes might be evident or noticeable to you.
4. Are there specific resources or information that could make a critical add-on difference to increase the capacity of self-represented litigants at your location?
5. Any other observations or suggestions for improvement to the project at your location?

## **Appendix 3 : Interview Guide: Issues for Counsel**

### Interview Guide: Issues for Counsel

1. Whether clients understand limitations or parameters of service that can be provided.
2. Assessment of limitations, barriers in making project an effective aid for self-represented litigants:
  - create a typology of different levels of ability of clients to understand and conduct their own case. What are the characteristics of clients in each of the groups in your typology? How much can clients in each group reasonably do on own? What types of support are needed at each step from you as duty counsel to make a critical difference?
  - clients' ability to understand, and factors affecting understanding of:
    - legal issues
    - how to proceed with case
    - how to complete forms, documents.
3. Utility of "Next Steps" sheet as an aid for clients (if you use this sheet)
4. How much time do you spend with clients on average? What is the range of time you spend with them, and what factors account for differences in time spent? How frequently do you suggest to clients that they return to the court-house to follow up with you? In what types of situation?
5. Counsel's use of printed materials (e.g. booklets, information sheets) as aid for clients.
  - % of cases in which counsel suggests or refers to specific materials. To web-sites?
6. Structure, operation of program:
  - structural factors that have enhanced or hindered your effectiveness as counsel for self-represented litigants;
  - what structural changes could be made to improve the project as a resource for self-represented litigants;
  - are there resources of a modest nature that could make a critical difference to the effectiveness of the project?
7. Any other issues, observations, recommendations.

## **Appendix 4: Client Questionnaire**

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**Provincial Family Duty Counsel Project Evaluation:**

**Client Questionnaire**

**FACE SHEET**

**Background**

1. Evaluation # \_\_\_\_\_  
2. Client Name: \_\_\_\_\_ 3. Telephone: \_\_\_\_\_

**Call Record**

	DATE	TIME	RESULT OF CALL
			1. No number; 2. Wrong number; 3. Client not home, call back (date); 4. Refusal; 5. Appt. for (date); 6. No show for interview; 7. Completed interview.
1.			
2.			
3.			
4.			
5.			
6.			

**Introduction**

1. Introduce self.
2. Confirm that you are speaking to client.
3. Remind client that he/she signed authorization to be contacted for evaluation purposes (i.e. bottom of "Acknowledgement of Duty Counsel Services" sheet).
4. Explain purpose of evaluation:
  - Being done with sample of clients,
  - To get candid feedback, positive and negative about their experience with the program,
  - To improve program.
5. Confirm confidentiality.
  - No names or identifying comments used.
6. Determine if this is a suitable time or book appointment for another date.

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## FILE DATA

1.0 Evaluation # \_\_\_\_\_

2.0 Date of Evaluation Interview: \_\_\_\_\_

### ITEMS 3.0 – 5.0 ARE FROM ACKNOWLEDGEMENT FORM

3.0 Community  
1. KAMLOOPS  
2. KELOWNA  
3. NANAIMO  
4. PRINCE GEORGE  
5. SURREY  
6. VICTORIA

4.0 Financially eligible?  
1. YES  
2. NO

5.0 Gender?  
1. MALE  
2. FEMALE

6.0 Date Acknowledgement Form signed: \_\_\_\_\_

### ITEMS 7.0 – 13.0 ARE FROM CLIENT INFORMATION FORM

7.0 Age:  
1. UNDER 20  
2. 20 – 29  
3. 30 – 39  
4. 40 - 49  
5. 50 – 59  
6. 60+

8.0 Citizenship:  
1. CANADIAN  
2. OTHER (SPECIFY \_\_\_\_\_ )

9.0 Education:  
1. LESS THAN GRADE 12  
2. HIGH SCHOOL GRADUATION  
3. SOME TECHNICAL OR UNIVERSITY EDUCATION  
4. UNIVERSITY GRADUATION

- 10.0 Employment:  
1. UNEMPLOYED  
2. PART-TIME  
3. FULL-TIME
- 11.0 Whether client has a lawyer?  
1. YES 2. NO
- 12.0 Whether client has seen a Family Justice Counsellor?  
1. YES  
2. NO
- 13.0 Whether client has attended a Parenting After Separation workshop?  
1. YES  
2. NO

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## INTERVIEW

I'd like to start by asking you some questions about the service you received from the project.

1.0 When you originally came to the court, did you know that Duty Counsel service was available in family matters?

1. NO
2. YES

1.1 (If NO) How did you find out about the duty counsel at the courthouse? \_\_\_\_\_  
\_\_\_\_\_

1.2 (If YES) How had you found out about the service? \_\_\_\_\_  
\_\_\_\_\_

2.0 Please tell me what the important issues in your legal matter were.

(Circle all that apply.)

2.1 FAMILY VIOLENCE 1. NO 2. YES

2.2 CUSTODY AND ACCESS 1. NO 2. YES

2.3 CHILD MAINTENANCE 1. NO 2. YES

2.4 SPOUSAL MAINTENANCE 1. NO 2. YES

2.5 MAINTENANCE ENFORCEMENT 1. NO 2. YES

2.6 PROPERTY DIVISION 1. NO 2. YES

2.7 DIVORCE 1. NO 2. YES

2.8 CHILDREN REMOVAL OR THREAT OF REMOVAL 1. NO 2. YES

2.9 OTHER (DESCRIBE: \_\_\_\_\_)

3.0 When you met with the lawyer you were asked to sign a sheet that described what the lawyer could or could not do for you. Did this sheet, together with anything the lawyer said, adequately explain the type of help you could expect to receive?

1. YES, COMPLETELY
2. ONLY PARTIALLY
3. NO – NOT AT ALL

3.1 IF ANSWERED "2" OR "3") What was confusing or unclear for you? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 
- 3.2 At any point when he/she was helping you at the court house, did the lawyer tell you that you could come back to get advice on your case when your matter was not in court?  
1. NO            2. YES            3. CAN'T REMEMBER
- 3.3 Did you ever return and use the same or a different duty counsel in this matter?  
1. NO            2. YES
- 3.4 (If YES) How many times did you end up using a duty counsel (including the first time)? \_\_\_\_\_
- 4.0 When you saw the duty counsel (OR if saw duty counsel several times, ask, "During those times when you saw the duty counsel"), what were you trying to achieve or fix or resolve or find out about in your case? What did you want to have happen? (Probe if a court order and, if so, specify type and whether interim or final.)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- 5.0 What did the duty counsel lawyer(s) do for you?
- |     |                                     |       |        |
|-----|-------------------------------------|-------|--------|
| 5.1 | ASSISTED CLIENT IN COURT            | 1. NO | 2. YES |
| 5.2 | REFERRED CLIENT TO OTHER SERVICE    | 1. NO | 2. YES |
| 5.3 | EXPLAINED LEGAL ISSUES              | 1. NO | 2. YES |
| 5.4 | EXPLAINED PROCEDURES, WHAT TO DO    | 1. NO | 2. YES |
| 5.5 | HELPED COMPLETE A COURT APPLICATION | 1. NO | 2. YES |
| 5.6 | NEGOTIATED WITH OTHER SIDE          | 1. NO | 2. YES |
| 5.7 | ASSISTED IN CASE CONFERENCE         | 1. NO | 2. YES |
- 6.0 What was the immediate outcome for you that resulted from this assistance?
- |      |  |       |        |
|------|--|-------|--------|
| 6.1  | DUTY COUNSEL GOT/PREVENTED COURT ORDER FOR CLIENT                    | 1. NO | 2. YES |
| 6.2  | DUTY COUNSEL TRIED, BUT FAILED TO GET/PREVENT COURT ORDER            | 1. NO | 2. YES |
| 6.3  | CLIENT GOT COURT/PREVENTED ORDER ON OWN                              | 1. NO | 2. YES |
| 6.4  | CLIENT TRIED, BUT FAILED TO GET/PREVENT COURT ORDER                  | 1. NO | 2. YES |
| 6.5  | CLIENT REFERRED  | 1. NO | 2. YES |
| 6.6  | DUTY COUNSEL ARRANGED FOR AN ADJOURNMENT                             | 1. NO | 2. YES |
| 6.7  | CLIENT ONLY WANTED INFORMATION,<br>NO EXPECTATION FOR FURTHER ACTION | 1. NO | 2. YES |
| 6.8  | CLIENT GIVEN INFORMATION, AND WAS INTENDING TO<br>PROCEED ON OWN     | 1. NO | 2. YES |
| 6.9  | CASE ABANDONED   | 1. NO | 2. YES |
| 6.10 | OTHER (SPECIFY _____)  |       |        |

- 
- 7.0 (If GOT COURT ORDER IN 6.1 OR 6.3) What type of order? (NOTE: TO PROBE FOR INTERIM OR FINAL ORDERS, ASK IF THEY HAVE TO GO BACK TO COURT SOON OR ON A CERTAIN DATE. CONFIRMATION ORDERS INCLUDE ONES WHICH REGISTER AN ORDER FROM ANOTHER PROVINCE, INCLUDING ALSO MAINTENANCE ORDERS FROM ANOTHER PROVINCE WHICH ARE PROVISIONAL. PROCEDURAL ORDERS WILL COMMONLY INCLUDE ORDERS FOR ADJOURNMENT, ORDERS FOR SUBSTITUTED SERVICE, ORDERS TO PRODUCE CERTAIN DOCUMENTS, TO GO TO CASE CONFERENCE, ETC.)
1. INTERIM RESTRAINING ORDER
  2. FINAL RESTRAINING ORDER
  3. PROCEDURAL ORDER
  4. INTERIM CONSENT ORDER
  5. FINAL CONSENT ORDER
  6. CONFIRMATION ORDER
- 7.1 (RECORD WITHOUT ASKING IF OBVIOUS, BUT OTHERWISE ASK:) Was this the outcome you were hoping for in the short term?
1. NO
  2. YES
  3. PARTLY (Explain \_\_\_\_\_)
- 8.0 (If REFERRAL IN 6.5) To what were you referred?
1. LSS
  2. PRIVATE BAR
  3. FMFP
  4. FJC
  5. OTHER (SPECIFY \_\_\_\_\_)
- 8.1 Did you actually go to that resource?
1. NO
  2. YES
- 8.2 (If NO) Why did you decide not to go there?
- \_\_\_\_\_
- 8.3 (If YES) Was this a useful referral for you?
1. NO
  2. YES
- 8.4 Why or why not? \_\_\_\_\_
- \_\_\_\_\_
- 9.0 (If CASE ABANDONED IN 6.9) Why did you not continue with the case? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

9.1 Is there anything that the duty counsel lawyer could have done differently that would have helped you to continue with the case?

\_\_\_\_\_

10.0 (ASK THIS QUESTION FOR ANY RESPONSE TO 6.0, EXCEPT 6.7 "Info only, no expectation for further action" OR 6.9 ("case abandoned") What was the final outcome in your case?

1. COURT ORDER (SPECIFY \_\_\_\_\_)
2. SEPARATION AGREEMENT
3. CASE ABANDONED
4. FAMILY SITUATION CHANGED, NO ACTION NECESSARY
5. FINAL OUTCOME STILL NOT REACHED
6. OTHER (SPECIFY \_\_\_\_\_)

10.1 (RECORD WITHOUT ASKING IF OBVIOUS, BUT OTHERWISE ASK:) Was this the outcome you were originally hoping for? (REFER BACK TO Q. 4.0 IF NECESSARY)

1. NO
2. YES
3. PARTLY (Explain \_\_\_\_\_)

11.0 I'd like you to rate certain things about the service you received.

11.1 First, on a scale of 1 to 7, how clearly did the lawyer explain to you the legal issues that applied to your case?

(1 = not clearly at all, 7 = very clearly)

RATING: \_\_\_\_\_

Reason for answer: \_\_\_\_\_

\_\_\_\_\_

11.2 Again, on a scale of 1 to 7, how much help did you receive from the lawyer in guiding you to fill out forms or documents?

(1 = no help at all, 7 = a lot of help)

RATING: \_\_\_\_\_

Reason for answer: \_\_\_\_\_

\_\_\_\_\_

11.3 Again, on a scale of 1 to 7, how clearly did the lawyer explain to you the next steps that you needed to take in your case?

(1 = not clearly at all, 7 = very clearly)

RATING: \_\_\_\_\_

Reason for answer: \_\_\_\_\_

\_\_\_\_\_

12.0 Did the duty counsel lawyer give you any information about websites or written materials that could be helpful in your case?

- 1. NO (BUT COULD HAVE BEEN HELPFUL)
- 2. NO, BUT WAS NOT REALLY NECESSARY
- 3. YES

12.1 (If YES) Did you access or use these materials or sites?

- 1. NO (WHY NOT? \_\_\_\_\_)
- 2. YES

12.2 (If YES) Were they useful to you?

- 1. NO
- 2. YES

13.0 The objective of this project is to help people who are trying to handle their own case and achieve a result, by providing information or, in special circumstances, some assistance in court. On a scale of 1 to 7, how would you assess the project's effectiveness, in terms of:  
(1 = not helpful at all; 7 = very helpful)

• HELPING YOU ACHIEVE A RESOLUTION TO YOUR ISSUES RATING: \_\_\_\_\_

Probe whether respondent would give a different answer, depending on the immediate versus long term outcome (record both):

IMMEDIATE: \_\_\_\_\_  
LONG TERM: \_\_\_\_\_

• HELPING YOU ACHIEVE A RESOLUTION FASTER THAN HAD YOU NOT USED THIS SERVICE RATING: \_\_\_\_\_

Probe whether respondent would give a different answer, depending on the immediate versus long term outcome (record both):

IMMEDIATE: \_\_\_\_\_  
LONG TERM: \_\_\_\_\_

• HELPING YOU FEEL MORE CONFIDENT IN DEALING WITH THE ISSUE ON YOUR OWN RATING: \_\_\_\_\_

Probe whether respondent would give a different answer, depending on the immediate versus long term outcome (record both):

IMMEDIATE: \_\_\_\_\_  
LONG TERM: \_\_\_\_\_

• HELPING YOU BE MORE PREPARED RATING: \_\_\_\_\_

Probe whether respondent would give a different answer, depending on the immediate versus long term outcome (record both):

IMMEDIATE: \_\_\_\_\_  
LONG TERM: \_\_\_\_\_

13.1 Overall, how satisfied were you with the service?  
(1 = very dissatisfied; 7 = very satisfied) RATING: \_\_\_\_\_

13.2 Please suggest ways in which the service could be improved for self-represented litigants such as yourself.