


**Who can help you  
reach an agreement?**


**Family law and mediation  
free resources**






Legal Aid BC

Who can help you reach an agreement?

Family law and mediation free resources

Legal Aid BC





You Tube

Recorded on: 23.09.2021

Length: 90 minutes

[CLICK HERE](#)  
[TO WATCH THE WEBINAR](#)



# Legal Aid Print & Online Resources

Information and services to help navigate the legal system and solve legal issues

**Legal Aid BC**

Support when you need it



# Outline

- Publications
- Websites
- Family Law Step-By-Step Guided Pathways

# How can you help people with legal information?



Recognize the legal  
issue



Find ways to stay out  
of court and resolve  
problems early



Find options for help

**FREE**  
**Publications**



**COVID-19:** Legal Aid BC now takes

and the legal help you need.

- Overview
- Resources
- Client services
- Workshops & conferences
- Free publications**
- Our newsletters
- Training videos

Free publications

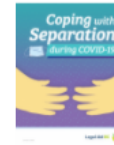
## Free publications

I want to find a publication by

Aboriginal peoples  
Abuse & family violence  
Child protection/removal  
Crimes & offences  
Debt

Immigrants & refugees  
Legal help & lawyers  
Legal system & courts  
Promotional materials  
Staying out of court

## Featured publications



### Coping with Separation during COVID-19

For spouses (married or living in a marriage-like relationship) who are dealing with the emotional aspects of separating. It describes the emotional...



### Safety in Relationships: Same-Gender

Describes relationship abuse, dispels common myths about abuse involving LGBTQ2S folk, discusses why a person might stay with an abusive partner,...

[Safety in Relationships: Trans Folk](#)



# LEGALAID.BC.CA

Legal Aid BC



## Free publications

I want to find a publication by subject ▼

I want to find a publication by language ▼

I want to find a publication by title ▼

I want to get a publication ▲

### To get a copy of a free Legal Aid BC publication

- Go to your [local legal aid location](#), or
- Place an order with [Crown Publications](#).

## Featured publications



### Coping with Separation during COVID-19

For spouses (married or living in a marriage-like relationship) who are dealing with the emotional aspects of separating. It describes the emotional...



### Safety in Relationships: Same-Gender

Describes relationship abuse, dispels common myths about abuse involving LGBTQ2S folk, discusses why a person might stay with an abusive partner,...



### Safety in Relationships: Trans Folk

Describes relationship abuse, dispels common myths about abuse involving trans folk, discusses why a person might stay with an abusive partner,...

## Publications Lists

- [Availability list](#)
- [Readability list](#)

## Publications updates

- [The Factum Blog](#)
- [Twitter](#)

## Still can't find what you're looking for?

Can't find what you're looking for? [Clicklaw](#) has resources from organizations across BC.

Legal Aid BC



# Legal Aid Publication Readability

## Level 1 — No legal knowledge is needed.

Publications are in clear language for people who don't know about the law

## Level 2 — Some legal knowledge is helpful.

Publications for people who are comfortable reading and may have some legal knowledge

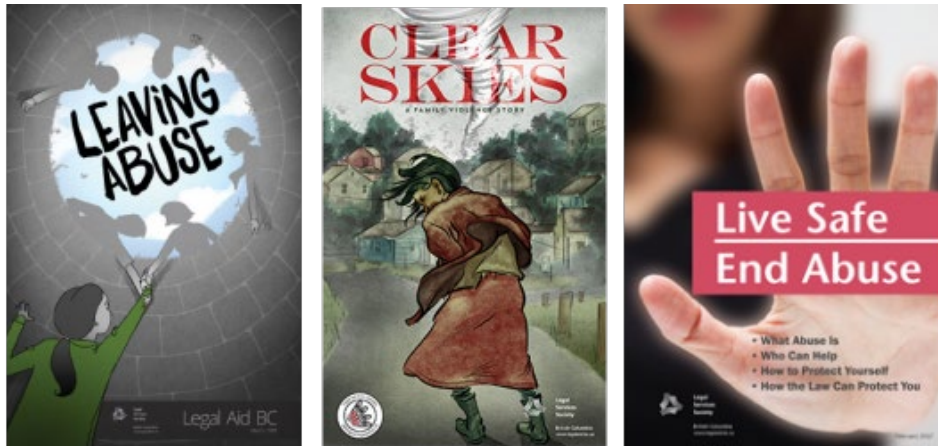
## Level 3 — Some legal knowledge is needed.

Publications for people who are familiar with legal concepts



# Abuse and Family Violence

## Level 1



## Level 2



# Child Protection

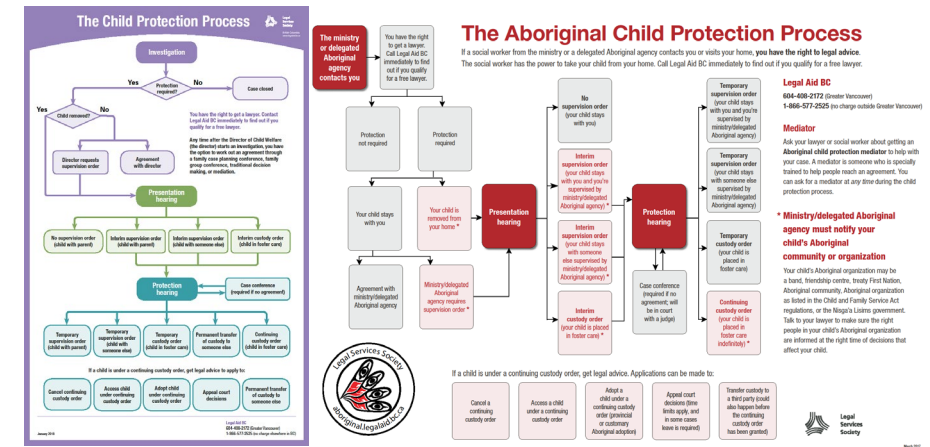
## Level 1



## Level 2



## Level 3



Legal Aid BC

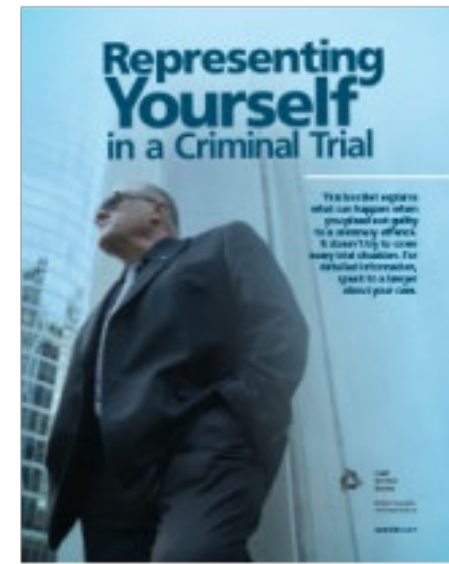


# Criminal Law

## Level 1

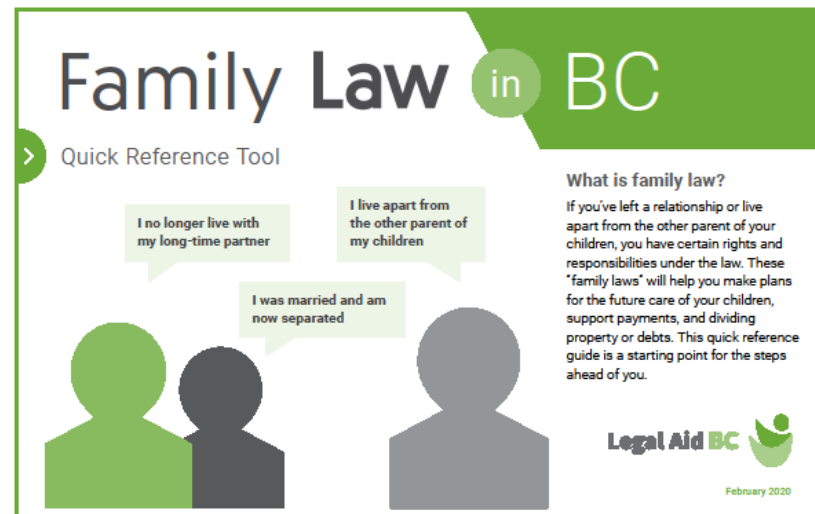


## Level 2



# Family Law

## Level 1



## Level 2



Legal Aid BC

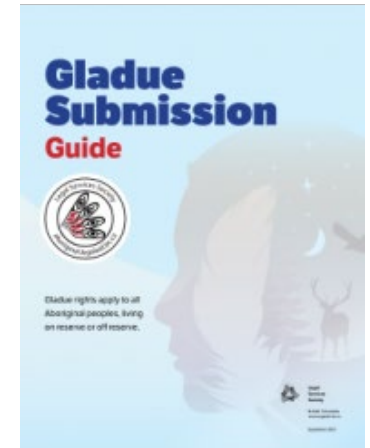
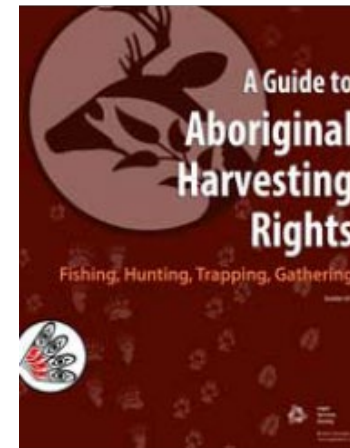
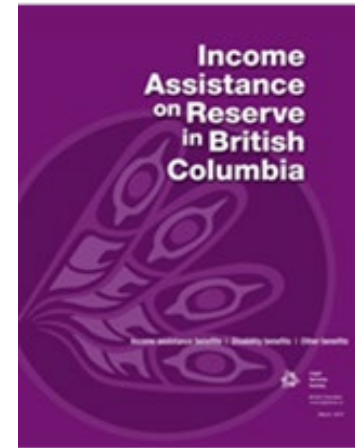


# Indigenous & Reserve Law

## Level 1



## Level 2



# FOUR WEBSITES

- [legalaid.bc.ca/](https://legalaid.bc.ca/)
- [aboriginal.legalaid.bc.ca/](https://aboriginal.legalaid.bc.ca/)
- [family.legalaid.bc.ca/](https://family.legalaid.bc.ca/)
- [mylawbc.com/](https://mylawbc.com/)

**Legal Aid BC**  
Support when you need it



**Aboriginal Legal Aid in BC**

Find out about your rights as an Aboriginal person in BC, and connect with the people who can help you.



**Family Law in BC**

Find complete information about family law, use self-help guides, and get the court forms you need.



**MyLawBC**


Quickly get a plan to help you resolve your legal problem.

**Legal Aid BC**



 Wildfire evacuees: need legal help? [Call our call centre](#)

## We're here to help

We provide  **legal aid** in BC. The law is complicated, but not everyone can afford a lawyer. We can help you with your legal issue.

Apply by phone [in your community](#).

Or call 1-866-577-2525 / 604-408-2172 (Greater Vancouver)



 **COVID-19 info**

 **Our locations**

 **Our services**

 **Our publications**

 **Contact us**



 Wildfire evacuees: need legal help

Overview

Resources

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Workshops & conferences

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Our newsletters

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**LEGALAID.BC.CA**



### Provincial Court and BCSC Financial Statements (Nov. 3, 2020)

[1:33:07] Detailed information about how to complete financial statements in both the Provincial Court and BC Supreme Court.



### Self Care: Understanding the value of boundaries for advocates (Nov. 23, 2020)

[1:37:49] A webinar focused on the connection between boundaries and self care and burn-out prevention.



### Kinship Care and associated benefits (Nov. 19, 2020)



### Prepping for Social Security Tribunal (SST) (Nov. 19, 2020)



# LEGALAID.BC.CA

Legal Aid BC





## Animation ▶ PLAY ALL



1:14

Clear Skies Trailer

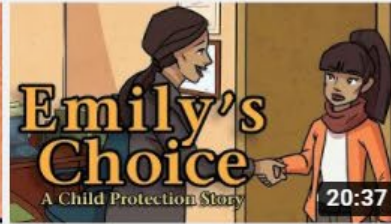
Legal Aid BC  
132 views • 5 years ago

CC



15:02

Clear Skies

Legal Aid BC  
1.9K views • 5 years ago

20:37

Emily's Choice

Legal Aid BC  
1.2K views • 4 years ago

1:12

Emily's Choice Trailer

Legal Aid BC  
231 views • 4 years ago

## Popular uploads ▶ PLAY ALL



8:31

An Inside Look at Family Mediation

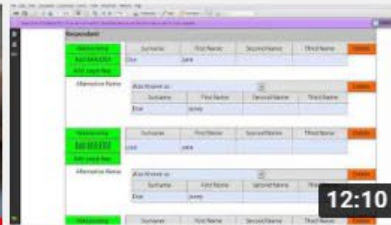
5.7K views • 7 years ago



4:31

Making Your Will with MyLawBC (Dec 2016)

4.5K views • 1 year ago



12:10

How to Use the New Supreme Court Family Forms

4.4K views • 9 years ago



5:26

Questioning witnesses in a BC Supreme Court trial

3.9K views • 5 years ago



11:25

Needed for Divorce: Your Marriage Certificate

2.1K views • 9 years ago



COVID-19 and the [legal system](#). Your questions [answered](#).

Are you Aboriginal? Do you have a legal issue?  
**Learn your rights and what  
you can do.**



**Aboriginal.legalaid.bc.ca**

# LIVED EXPERIENCES

- Using lived experiences to educate
- Videos
- Graphic novels



## Clear Skies - A family violence story

Marnie and her kids live with family violence. But with the support of her community, and by learning about her legal options, Marnie is able to leave an abusive relationship. **Clear Skies** is Marnie's story.

[LEARN MORE >](#)





Anna, a young Aboriginal mother, tells how a Parents Legal Centre helped her to get her son back from ministry care. Find out [more information](#) about this video.

# Child and family rights

Learn about your rights and what you can do to protect your children.

What do you need help with?



**Has the ministry  
taken your children  
from your home?**

Learn your rights and  
what you can do.

**LEARN MORE >**



**Do you or your  
children feel unsafe  
at home?**

Abuse is a crime. Get  
help to access safety  
for your family.

**LEARN MORE >**



**Are you breaking up  
with the other parent  
of your children?**

What to know about  
separation, divorce,  
and childcare.

**LEARN MORE >**



**Parents Legal Centres  
can help keep your  
family together**

Learn how to solve  
your child protection  
matters early.

**LEARN MORE >**

**Legal Aid BC**





[Home](#) / Courts & criminal cases

## Courts and criminal cases

Learn what you can do if you've been accused of a crime.

What do you need help with?



### What is a healing plan?

Learn about sentencing other than jail and First Nations Court.

LEARN MORE >



### Where are First Nations Courts?

BC has several First Nations Courts. Find the locations here.

LEARN MORE >



### You have the right to harvest

Learn more about your rights to fish, trap, hunt, or gather.

LEARN MORE >



# Legal issues on reserve

Some laws are different if you live on reserve.

What do you need help with?



## Do you need help making ends meet?

You might qualify for income assistance. Find out more and how to apply.



## How do wills and estates work on reserve?

What to do if a relative passes away on reserve.



## Who's allowed to live in your home?

The laws have changed. Learn who's allowed to live in your home on reserve.





# FamilyLaw.

Legal help for people in BC



**Familylaw.lss.bc.ca**

**Legal Aid BC**



# FAMILY LAW IN BC

- Divorce
- Parenting
- Support and finances
- Abuse and family violence
- Using the court system
- Related legal issues

## LSS Family Law

Welcome to Family Law in BC  
Find the answers to your family law issue



### Separation & Divorce

If you're ending a marriage or common-law relationship, we can help you figure out what to do. You don't always have to go to court. Our step-by-step guides can help.



### Children

Your child's wellbeing is what matters most. We can help you figure out parenting time and guardianship after separation or divorce. Has a social worker contacted you about your children? Learn your rights.



### Finances & Support

It's important that your family stays financially secure after you've separated. Find out more about spousal or child support, and dividing property and debt.



### Abuse & Family Violence

Abuse is never okay. If your partner's actions make you feel unsafe or controlled, you can get help.



### BC Legal System

Confused by the BC legal system? We can help you understand the different courts, how to apply for or respond to a court order, and what forms you'll need.



Advocates



Immigration



Aboriginal

# GUIDES

- Step-by-step guides to complex legal processes
- Help people save time and money

## Separation & Divorce

Thinking about leaving?

Going through separation

### Getting a divorce

How do you get a divorce if your home country doesn't recognize your same-sex marriage?

Getting a copy of your marriage certificate

Common questions about marriages, divorces, and annulments inside and outside Canada SHELL

#### Do your own uncontested divorce

Sole application for an uncontested divorce

Joint application for an uncontested divorce

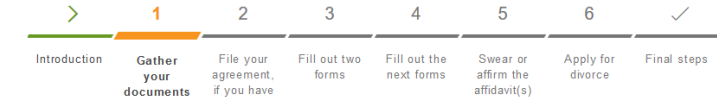
Making mediation happen in a family law case in Supreme Court SHELL

What is the Online Divorce Assistant? SHELL

Common-law couples

## Joint application for an uncontested divorce

 Print  Forms  Glossary  Email



### Step 1: Gather your documents



#### You'll need


- The money to order your marriage certificate, if you need to
  - A translator to translate it into English, if you need to
- A copy of your separation agreement or court order(s)
- Your change of name certificate, if required

#### Your marriage certificate

To get a divorce, you need an original marriage certificate or registration of marriage. The court won't accept the certificate you received from the church or other venue where you got married.

If you got married:

- **in BC**, see [Marriage Certificates](#)  to find out what BC marriage certificates look like, and how to order one from the BC government's Vital Statistics Agency
- **in another province**, contact the office equivalent to Vital Statistics in that province (see [Vital Statistics contacts](#) )
- **in another country**, contact the office responsible for marriage records in the country where you were married

Ask to have your original marriage certificate or a certified copy sent to you. There is usually a fee for this service. In BC, it costs \$27 to order your marriage certificate from the [Vital Statistics Agency](#) .

[If you can't get a copy of your marriage certificate](#)



[If your marriage certificate isn't in English](#)



#### Your separation agreement or court order

You need your [separation agreement](#) or Provincial Court [order\(s\)](#) to show what you've agreed to or what the court has already ordered about [parenting](#), [child support](#), or spousal support.

You'll file your agreement with the Supreme Court to open a family law case.



To make a separation agreement, contact a family justice counsellor, mediator, or family law lawyer for help. You can also use our step-by-step guide [Write your own separation agreement](#).

#### Quick Links

- [Go to the Online Divorce Assistant](#)



#### Wellness

Whatever you feel as you work through this guide is normal and okay.



# THANK YOU

[adam.fraser@legalaid.bc.ca](mailto:adam.fraser@legalaid.bc.ca)



**Legal Aid BC**







# **MyLawBC: online help for families**

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





Legal Aid BC 

Legal issues 

Log in 

Donate  

About us 

# Get free help for your legal issue.



## MyLawBC.com

# GUIDED PATHWAYS

- Answer questions about your situation
- Get a step-by-step plan to take action
- Only the info you need when you need it





# Guided pathways available

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- Make a separation plan
- Get family orders
- I've been served with a court document
- Make a safety plan
- Find out if you can keep your home
- Make a will
- Plan for the future



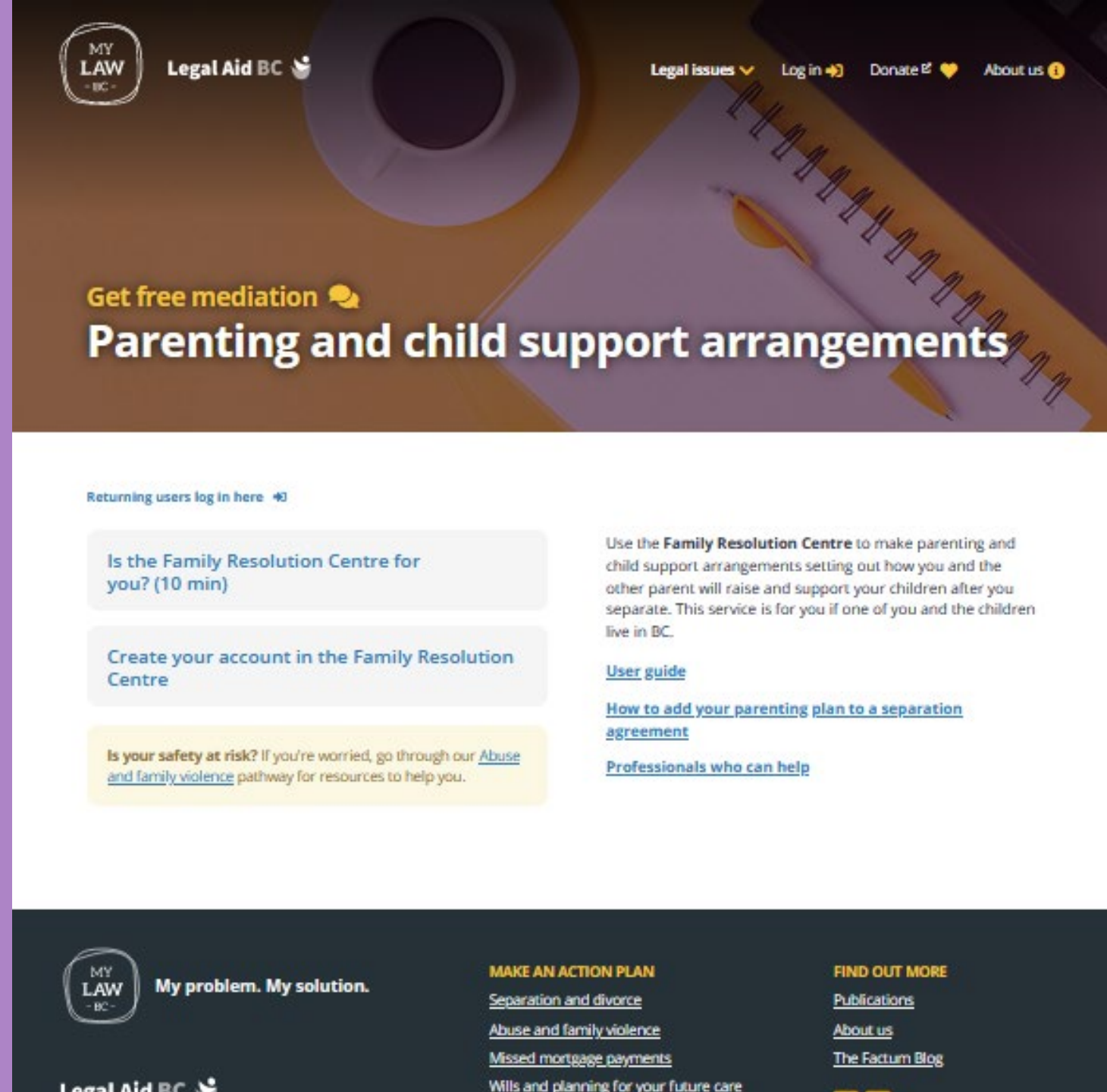
A woman with dark curly hair and round glasses is sitting on a white couch, looking down at a laptop. A young child with curly hair is sitting next to her, writing on a notepad with a yellow marker. The background shows a modern interior with a brick wall and a staircase.

**Get free online mediation**



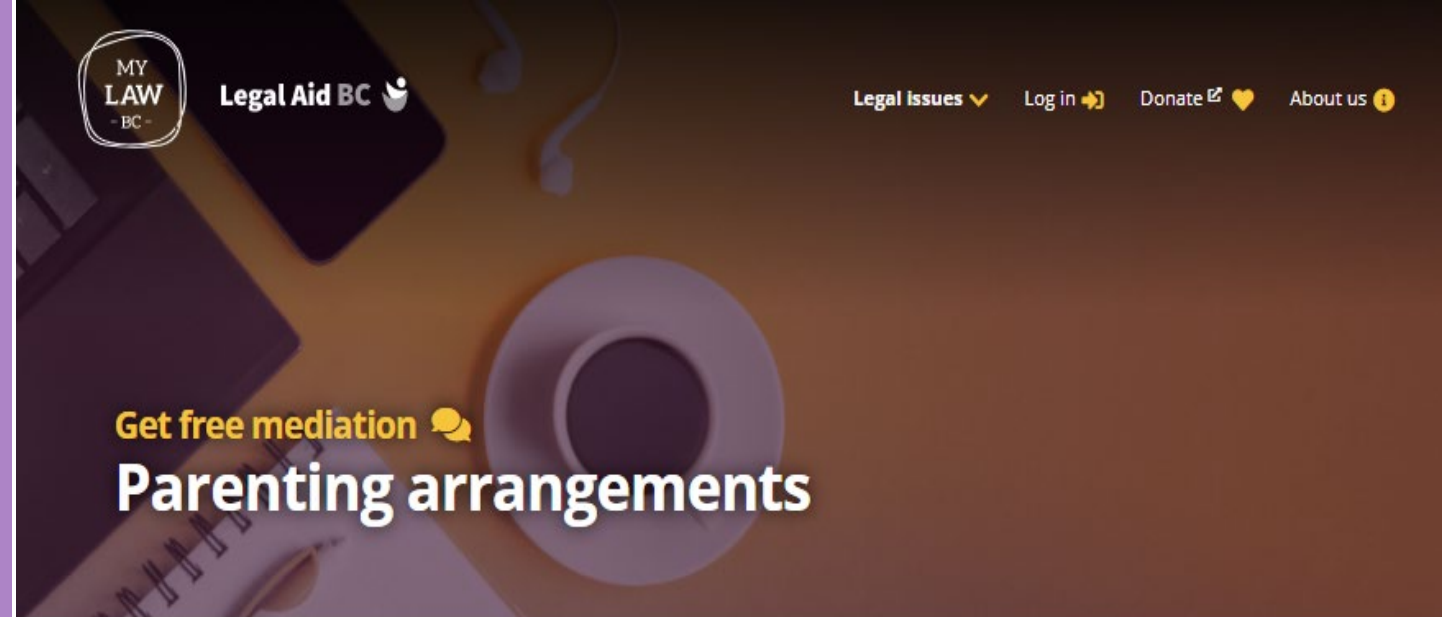
# FAMILY RESOLUTION CENTRE

- Platform for creating parenting and child support arrangements
- Work together for what's best for your children
- Get a free mediator to help



# FREE MEDIATION

- Uses the Family Resolution Centre platform
- Up to 5 hours of free mediation per area
- Qualified under the Family Law Act



Returning users log in here →

Is the Family Resolution Centre for you? (10 min)

Create your account in the Family Resolution Centre

Is your safety at risk? If you're worried, go through our [Abuse and family violence](#) pathway for resources to help you.

Use the **Family Resolution Centre** to make parenting arrangements setting out how you and the other parent will raise your children after you separate. This service is for you if one of you and the children live in BC.

[User guide](#)

[How to add your parenting plan to a separation agreement](#)

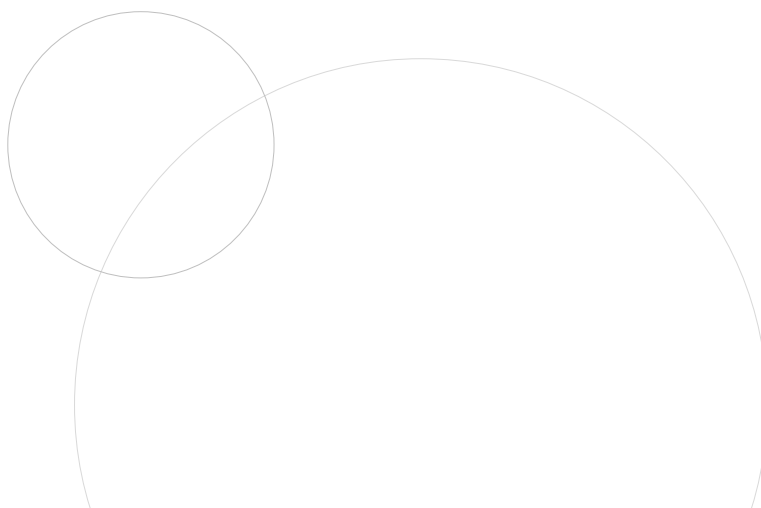
[Professionals who can help](#)



# Why make the Family Resolution Centre?

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- Parenting issues are some of the hardest to resolve
- Help people who can't afford these services
- Mediation helps preserve relationships
- Reduce stress for users

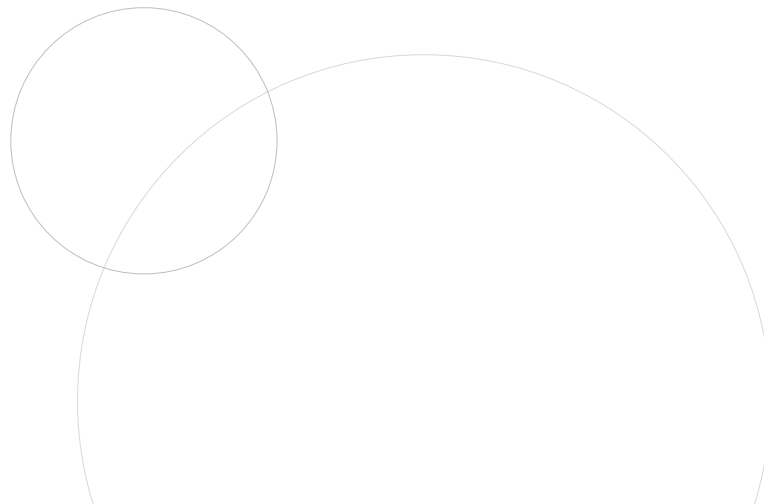




# Who can use the Family Resolution Centre?

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- Deals with parenting issues and child support
- No financial eligibility requirements
- Screening for appropriateness for online mediation
  - No cases with family violence



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THANK YOU



MyLawBC.com

# Access Pro Bono's Family Law Services



ACCESS  
PRO BONO

Access Pro Bono's head office is located on unceded Coast Salish territory, including the lands belonging to the x<sup>w</sup>mə θ k<sup>w</sup>əyəm (Musqueam), Skwxwú7mesh (Squamish) and səlílwətaʔ / Selilwitulh (Tsleil-Waututh) Nations.



ACCESS  
PRO BONO



## **Access Pro Bono**

### **Programs offering Family Law Services**

- Summary Advice Program – 30 minutes with a family lawyer
- Virtual Family Mediation Program – free independent legal advice and mediation
- Family Roster Program – representation services
- Lawyer Referral Service – no financial threshold, paid service

# Who qualifies for pro bono services?

APB can help if:

- the client lives in BC;
- the client is not eligible for government-funded legal aid;
- the client meets APB's financial eligibility criteria

Financial eligibility criteria:

- 1-3 member household: gross annual household income of \$60,000 or less
- 4+ member household: gross annual household income of \$84,000 or less



ACCESS  
PRO BONO

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# SUMMARY ADVICE PROGRAM

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- Free 30-minute summary legal advice appointments that are booked in advance for clients that reside in BC
- Qualification is based on a household income
- Over the phone (previously primarily in person)



# What can a client expect when referred to the Summary Advice Program?

- 150 – 200 (40 active) family lawyers providing summary legal advice to clients with family law issues.
- Once a referral is made or a client contacts us (leaves a voicemail or message through our website) we will get in touch by calling or emailing back over the next few business days.
- We will confirm eligibility and legal issue and make an appointment with a lawyer in the area of law that is needed and available.
- If there is no availability or a client is not eligible, we make referrals to other organizations and community partners (Legal Aid, advocacy programs, etc).
- Clients will receive 30 minutes of legal advice at a time.
- No real limits to advice appointments (can book as many appointments as they need).
- It can take 2-3 weeks to schedule a client into an appointment, so no urgent/same day advice provided.
- Lawyers will review documents, discuss and analyze legal issues, provide advice on next steps.
- No drafting, signing, or representation provided through this program.

# COVID-19

- The SAP is currently operating on a virtual basis only. This means that we will book appointments by email or telephone and all appointments are conducted virtually by telephone call. The client must be able to receive a call from Access Pro Bono and our lawyers at this time.
- We are in the process of exploring in person options and may return to this model over time or in several months, but no set decisions have been made at this time.



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# VIRTUAL FAMILY MEDIATION PROJECT

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- |   |   |   |
|---|---|---|
| <ul style="list-style-type: none"><li>• Mediation session with LSBC accredited Family Law Mediator</li><li>• Independent Legal Advice before and after the mediation</li><li>• Initial appointments over the phone or via video conferencing tools.</li><li>• Mediation conducted via video conferencing.</li></ul> | <ul style="list-style-type: none"><li>• Qualification is based on household income: \$60,000 gross for a 1–3-person household, \$84,000 for a 4+ person household.</li><li>• Only one party must meet financial criteria above.</li></ul> | <ul style="list-style-type: none"><li>• Area of law: Family</li><li>• Can accommodate cases with family violence</li><li>• In general, clients are self-represented in mediations</li></ul> |
|---|---|---|



# Virtual Family Mediation project:

## How clients get registered

### Intake

- APB will get in touch by calling or emailing the client back
- Client intake will take about 30 minutes
- APB staff conduct initial family violence screening and identifies issues client wishes to mediate.

### Registration Process

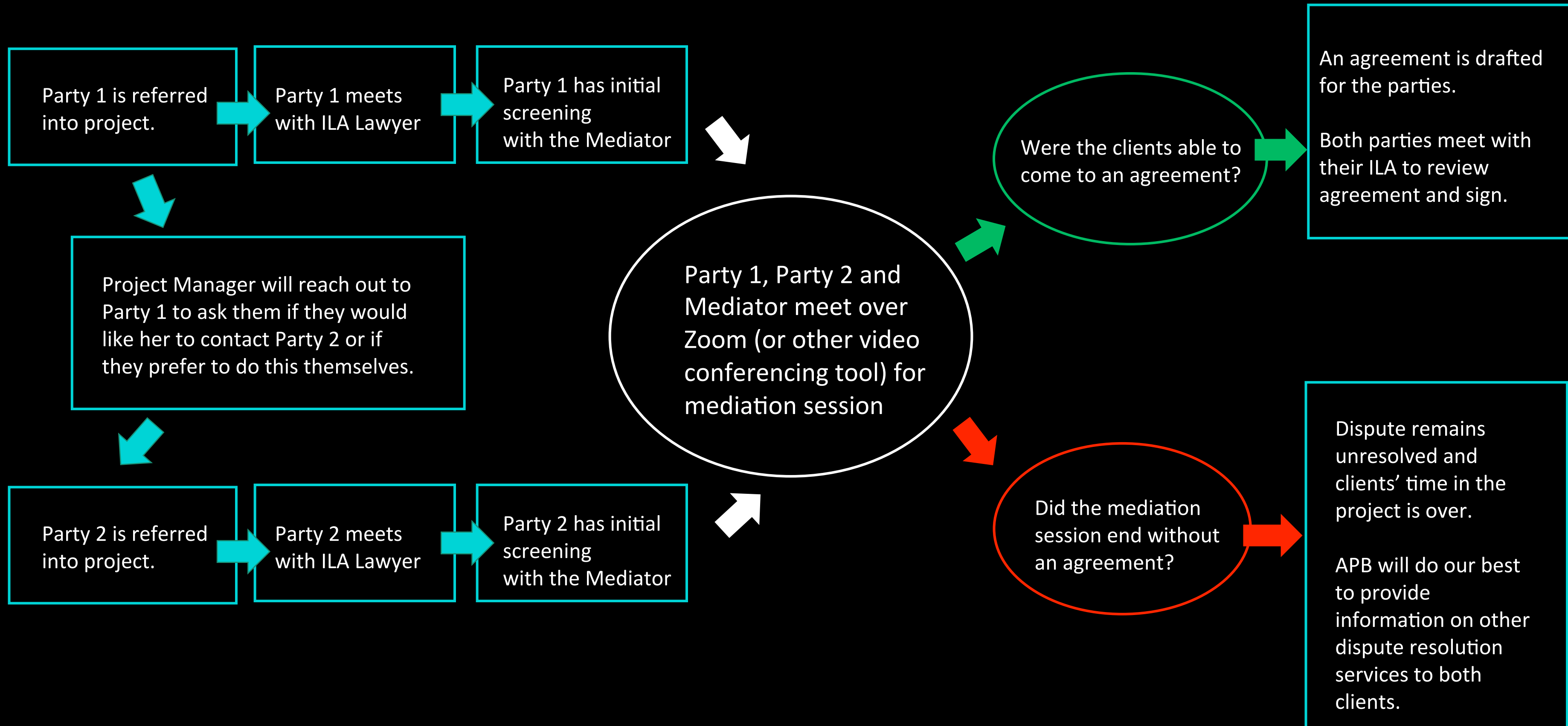
- Once the intake is complete, the client is then registered into the Qase booking platform and appointment requests sent to their ILA Lawyer and Mediator on their behalf.
- The project manager monitors all bookings to ensure that they are accepted. She will re-book the client should one of the appointments be declined.
- Appointments can be booked as early as one week from the time of intake.



# What do clients receive through the **Virtual Family Mediation** project?

- Each client will be provided with an Independent Legal Advice Lawyer and a Mediator.
- If the client is the pro bono party, there is no limitation to the pro bono time they receive from their ILA lawyer.
- If the client is the non pro bono party, their pro bono ILA time will be limited to 60 minutes total (30 before the mediation and 30 after). Any additional ILA time will be charged at the lawyer's regular rate.
- Mediation is provided pro bono for both parties regardless of income.
- If the clients come to an agreement in the mediation, a comprehensive minutes of settlement or agreement will be drafted for them to review with their ILA lawyer before signing.
- ILA lawyers do not attend the mediation with the client.
- The project does not file court documents on behalf of the client.

# THE PROCESS



How to refer a client to the  
**Virtual Family Mediation**  
project:

**Project Manager:**

**Erin Monahan**

Email: [emonahan@accessprobono.ca](mailto:emonahan@accessprobono.ca)

Phone: 604-424-8274

Email Erin with client details. She, or our staff lawyer **Raman Sehmbi**, will contact client for intake and booking.



# FAMILY LAW ROSTER PROGRAM

Through our Family Law Program, volunteer lawyers provide assistance and representation to clients in matters such as drafting and arguing applications, mediating disputes, drafting separation agreements, and securing consent orders.

Although the range of potential assistance is unlimited, the Family Law Program is specifically designed to enable pro bono help in the form of limited-scope or “unbundled” tasks.



# ROSTER PROGRAM: MAKE A REFERRAL

EMAIL: [roster@accessprobono.ca](mailto:roster@accessprobono.ca)

Heather Wojcik: [hwojcik@accessprobono.ca](mailto:hwojcik@accessprobono.ca)

- No client self-referrals.
- Roster Program will gather information and documents from client/support worker and assess the client's case for merit. Roster Program can only accept cases that have a "reasonable prospect of success".
- Meritorious cases will be sent to roster of approx. 150 family lawyers.
- 30 percent match rate.
- Up to \$2,500 in disbursement coverage for approved Roster Program cases.

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# LAWYER REFERRAL SERVICE

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- Lawyer referrals made for clients looking for legal advice, unbundled legal services, or full legal representation.
  - Eligible to all British Columbians, regardless of income.
- Two Lawyer Referral Service programs available: **Regular** and **Online**
  - [www.accessprobono.ca/our-programs/lawyer-referral-service](http://www.accessprobono.ca/our-programs/lawyer-referral-service)
  - Clients receive up to a 30-minute consultation (free of charge) and can choose to retain lawyer after this meeting for lawyer's regular fees.

# THANK YOU!

## Questions?

# Family Law Mediation & The Pro Bono Collaborative Family Law Project

Presented by:  
Andrea Glen

*Family Lawyer, Mediator, and Collaborative Practitioner*

Note: Portions of this presentation have been adapted from PowerPoint presentations that were originally prepared by Catherine Brink and by Nancy Cameron, Q.C., (with their permission).



# What is Mediation?

- A process where parties agree to use a **neutral person** (the Mediator) to help them to reach a **voluntary settlement** of a dispute
- A voluntary process (except if Notice to Mediate is filed)
- Confidential and "without prejudice"
- Mediator does not make decisions or impose solutions on parties
- If using a mediator who is a lawyer, they can provide **legal information** but not legal advice



# Family Law Mediation

## BENEFITS

- A **creative process** that can be tailored to the needs of each family
- Assists families to find **durable resolution** that meets the needs of the family and **minimizes the impact of separation** on parties and their children.
- Can achieve resolution much more **quickly** than court



# Family Law Mediation

## BENEFITS (cont'd)

- Facilitates **constructive communication** and problem-solving by parties
- Reduces conflict and stress; can preserve ongoing relationships
- More **cost-effective** than court
- If done properly, can provide a safe forum for resolving disputes even if there has been family violence



# Family Law Mediation

## BENEFITS (cont'd)

- Mediation process is **flexible** (shuttle mediation, in-person, remote, etc.)
- Clients can participate with or without lawyers
- Can be used where parties, mediators and lawyers are in different cities, provinces, or countries



# Family Law Mediation

## DRAWBACKS

- May not be suitable if **power imbalances** preclude both parties from participating fully or from effectively advocating for their own interests
- May not be appropriate in certain instances of **family violence**
- Vulnerable parties may feel pressured into settling for less than what they could get in court
- Feeling of giving in/settling vs. getting day in court/being vindicated
- Language barriers can pose challenges

# Mediating where there has been violence

- Mediation can still be an appropriate and effective way for couples to resolve disputes if there has been or is ongoing family violence, provided there is appropriate **screening** by the mediator and **safety measures** to address any concerns identified

# Defining Success in Mediation

- Best outcome: durable **written agreement** or **order** that resolves all disputed issues to the satisfaction of both parties
- Other beneficial outcomes
  - Narrowing issues in dispute (resolve some, but not all issues)
  - Clarifying facts, concerns, issues, and positions – get closer to resolution
  - Shifting perspectives
  - Modeling constructive communication and conflict resolution

# Finding a Mediator


- Access Pro Bono Virtual Family Law Mediation Project (<https://www.accessprobono.ca/program/virtual-family-mediation-project>)
- Mediate BC Directory of Family Mediators (<https://www.mediatebc.com/find-a-mediator>)
- ADR Institute of BC Family Roster (<https://adrbcc.com/mediate-roster-program/>)
- Family Mediation Canada Mediator Directory (<https://www.fmc.ca/find-a-mediator/province/>)
- Law Society of BC Lawyer Directory (<https://www.lawsociety.bc.ca/labc/apps/lkup/mbr-search.cfm>)  
(search by lawyer name only)



# The Pro Bono Collaborative Family Law Project

Run by the BC Collaborative Roster Society


Note: this portion of the PowerPoint is adapted from a presentation given by Catherine Brink



# Pro Bono Collaborative Family Law Project

## GOALS:

- Provide a time-limited, full team Collaborative Process to those families who could not otherwise afford to hire a Collaborative team privately.
- Assist families with limited means to find durable resolution that meets the needs of the family and minimizes the impact of separation on parties and their children.




# What is Collaborative Process?

- an **integrative team approach**:
  - lawyers trained in conflict resolution
  - mental health professionals to support the family emotionally and with creating parenting plans in the best interests of the children
  - financial specialists to empower clients with the information they need to make informed financial decisions

# What is Collaborative Process?

- All professionals and participants **sign a Participation Agreement** that says:
  - all of the collaborative professionals (including the lawyers) are disqualified from participating in or acting for the parties in contested court proceedings
  - full and timely disclosure of all material information and financial documents
  - good faith negotiations
  - the negotiations are confidential and “without prejudice”



# What is Collaborative Process?

- During Collaborative Process, most work is done through **team meetings** with both parties and their lawyers, and financial and/or mental health professionals in various combinations
- Goal is to assist couples to reach a written **Separation Agreement** which addresses all of the issues arising from their separation



What does the Pro Bono  
Collaborative Process  
look like?

# A time limited version of the Collaborative Process

- The Pro Bono Collaborative Process is similar to the regular Collaborative Process, but it is **time-limited** with each professional volunteering 8 hours of their time
- For some families, this will be enough to help them to resolve all of their parenting and financial issues. Other families will need to choose to focus only on the issues that are the most important to them

# Process

1. **Intake process:** questionnaires and phone meeting with intake administrator
2. **If eligible:** CP team assembled and a date for the first meeting set
3. **Team generally includes:** two lawyers, a neutral divorce coach, a financial neutral
4. **Two settlement meetings** with the full team (may be broken into 3 meetings if by Zoom)
  - 4.5 hour first meeting (including meeting individually with professionals)
  - 3 hour second meeting
5. **Financial neutral** contacts the parties in advance of the meeting for financial disclosure
6. **Coach check-in** with parties between meetings
7. **Lawyers draft Minutes of Settlement** that can be filed in court
8. **Option:** Professionals may elect to add an extra meeting if they wish

# Eligibility

Spouses must:

1. Both consent to participate in settlement meetings,
2. Have a combined gross annual income of less than \$75,000\*, and
3. Have less than \$100,000\* of equity in assets, excluding pension plans.

\*Please note that there may be flexibility on the financial criteria.

- Parties can be located anywhere in the province so long as they can access zoom
- In-person meeting option

## A note on cost...

- All of the professionals are volunteering their time.
- There may be a small administrative fee to parties once accepted into the program (to help offset the intake cost).
- Administrative Fee may be waived if it would be a barrier to participating in the program.

# How to apply:



Fill out the application form at <https://www.bccollaborativerostersociety.com/pro-bono-collaborative-family-law-project/> (confidential form)



Any questions about the program, email [info@bccollaborativerostersociety.com](mailto:info@bccollaborativerostersociety.com)



Assessment and intake done to make sure participants are set up for success



If not eligible, we aim to provide a list of Collaborative Professionals who do work on a sliding scale / fixed fee basis.



# Benefits

- Access to a **team of professionals**
- **Lawyer advice and advocacy in the room** (from a lawyer who has no investment in going to court and has training in conflict resolution skills)
- **Mental health professional** to assist with the parenting issues and assist with the emotions in the room
- **Efficiency** of having a financial neutral to help in getting the appropriate disclosure and providing neutral information about the finances (as well as helping clients with limited means find costs savings/benefits)

# Outcomes



High success rate. Almost all of the cases to date have resolved with Minutes of Settlement.



Good upfront screening for appropriateness for time-limited CP.



Overwhelming appreciation for the services and the team approach.



Mediation or  
Collaborative Process?

# Mediation or Collaborative?

- How do you assess which process will be the most suitable?
- Can the Collaborative Pro Bono project work if couples have been screened out of mediation (due to violence/power imbalances concerns) or if mediation has failed?

Note: the remainder of this PowerPoint is adapted from a PowerPoint presentation given by Nancy Cameron, Q.C. (with her permission).

Goal is to build a process that provides:

- Greatest likelihood of success
- Sensitivity to best interests of children
- Necessary support for safe dialogue
- The necessary professionals needed to move to resolution

# Assessing for Mediation or Collaborative Process

- Does the client feel safe negotiation with their partner?
- Conflict between the partners
  - What does it look like?
  - What are their conflict styles?
  - Does one partner feel like they are always accommodating
- Communication
  - Do they need advocacy support in the room to communicate effectively?
  - Can a neutral (mediator) do this without abandoning neutrality?

# Assessing for Mediation or Collaborative Process

- Finances
  - Do you need a neutral financial person?
- Children's issues
  - Would a mental health professional in a neutral role, coupled with a lawyer support in the room, give the best likelihood of success?
- Mental health issues or concerns / other health concerns
  - Would these benefit from the assistance of a mental health professional in the room?

# Individual Client Needs

- How much advocacy support does a client need?
- Does the client need advocacy support in the room?
- Think about client's ability
  - To communicate in the same room (or computer screen) as their spouse
  - To move towards resolution
  - To consider the needs of the other spouse
  - To accept finality