



## Introduction to Alberta's Reforming the Family Justice System initiative

The Reforming the Family Justice System (RFJS) initiative began in November 2013, and represents Alberta's response to the recommendations in the reports of the national Action Committee on Access to Justice, and their call for a paradigm shift in the family justice system.

In 2013 the national Action Committee published four reports on substantive areas of focus for issues they had identified in civil and family justice in Canada, which they followed with a fifth report called "The Roadmap Report". These reports are available at: <https://cfcj-fcjc.org/action-committee/>. There was a recognition throughout these reports that the family justice system was causing harm to families. The Roadmap Report called for a shift in culture / a paradigm shift. In Alberta, we recognized this as calling for major systems change. The Report did not provide a "roadmap" for how that change should be achieved, and so we have been learning and undertaking different processes to help achieve this large change.

Justice Andrea Moen of the Court of Queen's Bench (now retired) brought her interest in brain science to the RFJS, and brain science - including the Adverse Childhood Experience (ACEs) studies - has really provided the evidence that supports the systems change. The resources of the Alberta Family Wellness Initiative (AFWI) provide access to a wealth of knowledge about brain science, including their online "Brain Story Certification" which is a 19-module online course, available for free. Increasingly frontline service providers in Alberta from social services, health and education are brain science certified. We are encouraging lawyers, judges and frontline staff in the justice system to become certified, to create a deeper understanding of both the impact of toxic stress and the opportunity to support resilience. To register for this course: <https://www.albertafamilywellness.org/training-2>

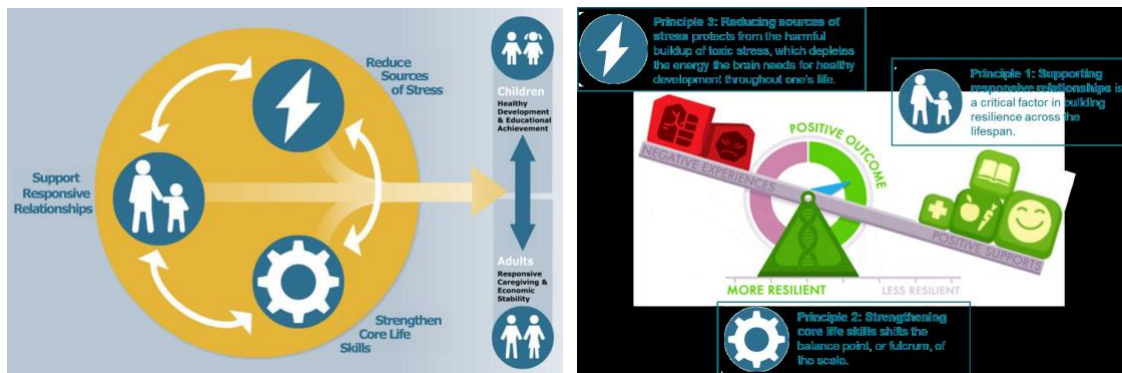
The RFJS has been convened by the Court of Queen's Bench, the Ministry of Justice and the Law Society of Alberta. More recently, Convenors from the Native Counselling Services of Alberta and the Family & Community Services in the County of Strathcona, have joined the Convening team. The Convening is designed to create a space for a broad group of collaborators to come together and explore the systems change that is contemplated in the RFJS. We have more than 400 formal collaborators in the RFJS, and a far greater number who are embracing the shift or transformation in family justice.

### **What is that shift?**

Our "Theory of Change" (a systems concept for guiding the large complex shift that is underway), proposes that we are working to ensure that families thrive. By this we mean that the focus of the family justice system is shifting to a focus on wellness - and away from the traditional concern with improving and increasing access to legal, adversarial processes. **The RFJS is really about achieving better outcomes for families.**

A large part of our work in the early years of the RFJS has been on shifting the culture of our family justice system. Brain science is the foundation for this shift, as it provides the evidence that our current approaches to separation, divorce, domestic violence and child welfare actually increase the adverse childhood experiences in families who touch the family justice system. In response, the RFJS recognizes the need to reduce these negative experiences. We speak about untangling the social, relationship, parenting and financial needs of families from the legal, and working together to ensure that social, relationship, parenting and financial supports are given priority so that families are supported to achieve well-being. Our goal in this is both to reduce the adversarial response to issues that are truly not legal in nature, and to provide supports and help to increase skills that will build resilience. To achieve this, we need to break down the silos between the justice system and other systems such as family supports, health, education etc.

The Resilience Metaphor (and the AFWI visual of a resilience scale) reflects the core Principles of Development that the Harvard Centre on the Developing Child has described in their paper "Three Principles to Improve Outcomes for Children and Families".



The three key principles that are reflected in these visuals, and incorporate the growing body of research which suggests that resilience is critical for well-being for children and families. The core principles are

1. to reduce sources of stress (negative experiences)
2. to increase positive supports (responsive relationships), and
3. to strengthen core life skills (executive functioning, serve & return interactions, communication, reducing conflict, etc)

We've incorporated these three core principles into the TFJS Strategy Map (described below), and are working to bring these principles into all aspects of our work on the RFJS.

We've been able to support case studies and efforts that align with the RFJS and bring the concepts to life:

***The Family Justice Navigator*** project in the County of Strathcona. This project changed the role of Family Court Counsellors (and renamed them as Family Justice Navigators). These staff were trained in brain science, were empowered to work in community to assist families to access supports to assist with their social, relationship, parenting and financial needs, along with the legal needs that Family Court Counsellors normally engage in. The staff were embedded in the County's Family and Community Services (FCS) office, where they helped to educate and empower those services to provide the social, relationship, parenting and financial supports that families need when they are involved in family justice processes. We learned through this pilot that FCSS offices across the province are able to provide these supports, but have typically understood that they should not engage with families that are dealing with legal matters, and instead have referred them to courts, legal aid and the legal system, which of course has meant that families in our justice system have not had the benefit of the supports that they actually need. This pilot revealed the simple shift that was needed in order to realign existing services and improve supports for families. Our goal now is to scale out the learning from this pilot, to the 180 FCSS offices that are already in place across the province.

***The coParenter Pilot*** – this was a gift of a free licence to the coParenter app, made available for Alberta families during the pandemic. coParenter is a tool that is aimed at assisting parents to work together to address the everyday challenges of parenting, in a way that reduces stress and increases family well-being. The app includes many tools that coach and empower families to work together to parent their children. Perhaps most important, is the real time access to coaching and mediation by family mediators who volunteered their time for the duration of the free licence.

We described coParenter in an announcement about the pilot on the RFJS blog: <https://rfjslab.wordpress.com/> . coParenter extended the duration of the free licence to the end of February 2021, and our volunteer mediators did so as well. While the pilot has now closed, it made possible a tremendous support for families, increased awareness about this tool, and led to a Case Study with the Calgary Women's Emergency Shelter.

You can also learn more about coParenter by watching a 40-minute demo that coParenter did with Alberta's Domestic Violence community:

<https://www.youtube.com/watch?v=5UaHYmqbv4s&feature=youtu.be>

Even before completing our case study, it is clear that our mediator group is incredibly committed to the coParenter app. They have said that they see the app as an extremely effective method of assisting parents to address family matters, of empowering them to parent their children, and reducing the reliance on adversarial processes. They not only provided an extensive amount of their time providing mediation and coaching services, but also worked to get the word out about the app. This included a CBC Edmonton AM interview with The Hon.

Andrea Moen and Trish Hebert, QC: <https://www.cbc.ca/listen/live-radio/1-17-edmonton-am/clip/15781831-co-parenting-app-to-help-during-covid-19>

### ***Domestic Violence Sector***

We have been working with the domestic violence sector in Alberta for the past two years, and have developed tremendous working relationships on efforts that are aligned with the RFJS. This work is arguably even more important in the wake of the Covid pandemic, which has seen increased rates of domestic violence.

Our primary connection is through **Impact**, which is a province-wide collective impact initiative that is focused on the eradication of family and sexual violence. While their work began independent of the RFJS, it is aligned with our theory of change. Diana Lowe, QC (Co-Lead of the RFJS) is a member of their "Impact Mobilizers" group, which includes representatives of every DV Network and Sexual Assault Centre across the province.

With the assistance of Professor Lana Wells from the University of Calgary, Impact is working to develop a Primary Prevention Framework for family and sexual violence. There are many partners in this effort, including the Ministry of Community and Social Services of the government of Alberta. Diana Lowe, QC is part of the group, and has agreed to undertake consultations on the Primary Prevention Framework with our RFJS Collaborators.

***Calgary Women's Emergency Shelter (CWES) / coParenter Case Study*** – As noted above, the RFJS relationship with coParenter and with the domestic violence sector led to a new case study that launched on October 1, 2021. Frontline workers of the Calgary Women's Emergency Shelter (CWES) who support women experiencing domestic violence, have introduced coParenter as a tool to empower families to work together in a healthy way to address the needs of their children. While the data is still being collected from the case study, CWES is already convinced of the value that coParenter has provided for the families they assist. They have now approved funding to enable them to continue the licences for the families that are already using coParenter, and to continue to make this app available.

You may be interested to read a brief article about the use of coParenter in a domestic violence court in Bonner County Idaho: <https://rcdvcpc.org/march-2020-technology-friend-or-foe-a-spotlight-on-co-parenting-apps-in-bonner-county-idaho.html>

### ***Divorce Magazine***

The RFJS has been given the opportunity to publish an article in the 2021 issue of the Divorce Magazine, which is available on newsstands and online (pages 6-7) at: <https://canadadivorcemagazine.com/>. We have had articles in the previous four issues of the magazine, and regularly participate in the Divorce Resource Group established by the publisher.

Justice Jerke and Diana Lowe, QC also provided the Keynote at an online Divorce Symposium that the publishers of the Divorce Magazine hosted on Wednesday March 31, 2021 from 6:30 – 9:30 pm, which will be available on the Divorce Magazine website and RFJS blog.

### ***Strategy Mapping to Support the RFJS***

Since January 2020, the RFJS has been working with our counterparts in BC and with InsightFormation on the development of a high-level Strategy Map for a multi-sector approach that incorporates Adverse Childhood Experiences and Resilience to bring about systems change.

Our work focused of course, on the family justice system. We created a high level strategy map for "Transforming the Family Justice System" (TFJS). In addition to the strategy map, we have been able to work with their InsightVision platform, which allowed us to develop deeper level strategies, actions and measures as part of a coherent tool to track and communicate about our work. These tools allow us to "tame the complexity" of complex systems transformation. The platform will assist us as we begin to work with communities (sectors or geographic communities), to actively engage them in the process of change

In January, Diana Lowe, QC and Jane Morley, QC from BC were guests on a webinar that Bill Barberg hosted to promote the next phase of their work on developing the ACEs & Resilience Strategy Map template. This webinar was an hour in length, and explains Strategy Mapping and the Insightvision platform in the context of our efforts to transform the family justice system: <https://improvepophealth.org/advancing-your-communitys-aces>

### ***Collaboration with British Columbia***

In October 2019 the BC Access to Justice Collaborative adopted an agreement to incorporate ACEs into their work in family justice, and in doing so, have acknowledged that they are following Alberta's lead in incorporating brain science / ACEs into their work.

As noted above, both jurisdictions have worked together quite extensively over the past year, developing the "Transforming the Family Justice System" strategy map together. We have presented together at the Action Committee Community of Practice on family law, and we were each invited to present at our respective Regional Colloquia. The Prairie Region Colloquium on November 18, 2020 was framed around "innovation in family law" and included speakers from Manitoba and Saskatchewan, as well as from Alberta. The video link to the Colloquium is: [SK / AB / MB](#) (1 hour total. AB presentation was from minute 39-55). The focus of the BC / Yukon Colloquia was on "Relational Approach and Indigenous Perspectives on Family Justice Transformation", and built on the shared work that Alberta and BC have done to incorporate brain science into our work, as applicable to child welfare and Indigenous concerns with our family justice system. At the end of that Colloquia, the Chief Justice of British Columbia acknowledged and thanked Alberta for leading this work. The link to the BC/Yukon Regional Colloquia is here: [BC / Yukon](#) (one hr, 10 min).

In December 2020 the Access to Justice BC Steering Committee announced that they are moving forward with a new Collaborative focused on our shared work to Transform the Family Justice System.

### ***High Conflict Institute***

The RFJS is returning to some of the learnings of the New Ways for Families (NWFF) pilot in Medicine Hat, and exploring the possibility of working with Bill Eddy and his High Conflict Institute. As Bill describes, “high conflict litigants don’t need decisions, as much as they need decision-making skills.” His goal is not only to provide families with NWFF training, but also to train those who work with high conflict individuals, so that they are surrounded with supports that will reinforce the skills that they learn through NWFF. This will help to reduce the adversarial approach to family matters. Training for frontline service providers and for the judiciary is also available online.

***Grande Prairie Community*** – the Court of Queen’s Bench has begun to explore the possibility of working with the community in Grande Prairie to shift the path that families take in their family matters. Justice Jerke, Don Cranston, QC and Diana Lowe, QC held introductory meetings in Grande Prairie from March 1-3, 2020 with a variety of community members including family lawyers, mediators, collaborative practitioners, FCSS representatives, NCSA staff, police, Crown, Provincial Court, and domestic and sexual violence organizations.

These conversations have continued with a meeting in February 2021, and an expanding group of community collaborators, who have expressed interest in continuing to explore the goal of improving wellness by increasing access to supports, building skills and reducing the use of adversarial processes. We will work with the community to identify existing resources and services, and anticipate also introducing some of the work we've been piloting including with coParenter, the FCS office in the County of Strathcona, and NWFF.

In March 2021 the Grande Prairie community collaborators met again, and with the support of the Palix Foundation, were able to welcome Dr. Nicole Sherren to provide a workshop introducing brain science.

In April 2021 we held two meetings with the Grande Prairie community collaborators and Bill Barberg of InsightFormation, who led a process called "Community Accelerator". This process employed the Transforming the Family Justice System Strategy Map and InsightVision tools, to assist community members to explore areas of priority and focus, and obtain commitments to work in specific parts of the systems map. The McConnell Foundation has provided the funding for the Community Accelerator Process.

### ***Ambassadors for Change***

Since 2017 the RFJS has adopted a process of sharing information about our work broadly, through what we've called "Ambassadors for Change". Diana Lowe, QC has spoken with hundreds of groups and individuals about the RFJS, encouraging them to embrace the change that we're seeking, and to consider how they can help to be part of this change. Please let Diana know if you are interested in having her speak with you about the RFJS. She can be reached at: [Diana.lowe@re-imaginingjustice.ca](mailto:Diana.lowe@re-imaginingjustice.ca)