Reforming the family justice system initiative

Jehn, Michelle and Spina, Jessica and Lowe, Diana and Turner, Barb

Suggested citation:

Reforming the Family Justice System

Using a Causal Layered Analysis to Develop a Theory of Change

RSD4 Symposium – Banff 2015

Michelle Jehn; Diana Lowe, QC; Jessica Spina; Barb Turner, QC
Who are We?
What are Our Perspectives?
Evolution of the Family Justice System

Impetus for Change

Photo credits: Istock http://www.istockphoto.com/photo/difficult-choice-4879520?st=3912863
Why Traditional Approaches Were Not Working
Actors of the System Convene
Alberta’s Response
Seeking New Ways
Causal Layered Analysis
Family Justice System: Systemic Causes

- “The law is jurisprudence, the language legalese, the system is designed for a win-lose scenario.”
Family Justice System: Worldview

Family Justice System: Metaphor/Myth

Family Justice System: A New Mental Model

Families Thrive

Problems

Values
• System is based on legal rights, with an adversarial, win-lose approach that is detrimental to children and parents
• The system ignores the impact of toxic stress on children and parents

Capacity
• The court system is the default, but courts lack the capacity and expertise for resolving family relationship issues

Access
• The system is expensive and complicated with unequal access to appropriate forms of resolution
• Legal language is a barrier which adds to the fear that parents experience
• There is a need for clarity of language and consistency across all geographic locations

Focus
• Parents and system providers focus on legal solutions, not family wellness

Change Values
• Emphasize community-based resources, with a focus on healthy parents, on strong, healthy relationships between parents, and on children’s needs
• Need to inform decisions and approaches with brain science re impact of toxic stress on children

Increase Capacity
• Focus on resources needed to build on the family’s strengths. Provide families with education, tools and resources to maintain healthy relationships, and to resolve disputes
• Empower parents to exercise personal responsibility and self-determination so that they can make choices together for the well-being of their family

Improve Access
• Multiple options, multiple access with consistency across all geographic locations: people get to the right place at the right time for the most appropriate resolution for them

Shift the Focus
• Children are the lens through which we design the system, with focus on building strong & healthy family

Key Strategies

Key Outcomes

Values
• Families (parents and children) thrive, even while undergoing changes to family structure
• Their first priority is on parenting, healthy relationships and the needs of children and young people

Capacity
• Family supports and education resources are in place
• Parents are empowered to competently address disputes within the family – building resilience, co-operative parenting skills and capacity to address and anticipate problems

Access
• Restructuring families are aware of and have access to services that are available consistently across Alberta
• To the extent that families turn to legal remedies, processes are simplified

Focus
• Services are family focused and meet social, relationship, financial and legal needs of families

Assumptions
• Chronic conflict leads to toxic stress and negative outcomes for children and parents
• Empowering parents to make early and informed decisions is effective in resolving family problems
• Social, relationship, financial and legal supports help foster stronger, more resilient families
• If parents strengthen their personal health and their parenting relationship, they and their children are happier and healthier
• The public costs associated with unresolved family problems are greater than the costs of supporting families to thrive

*This is a living document which will be updated as we learn.

Revised August 25, 2015
Our Observations
What Did We Learn?
What's Next?
Questions?