

Faculty of Design

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## Reforming the family justice system initiative

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# Reforming the Family Justice System

Using a Causal Layered Analysis  
to Develop a Theory of Change

RSD4 Symposium – Banff 2015

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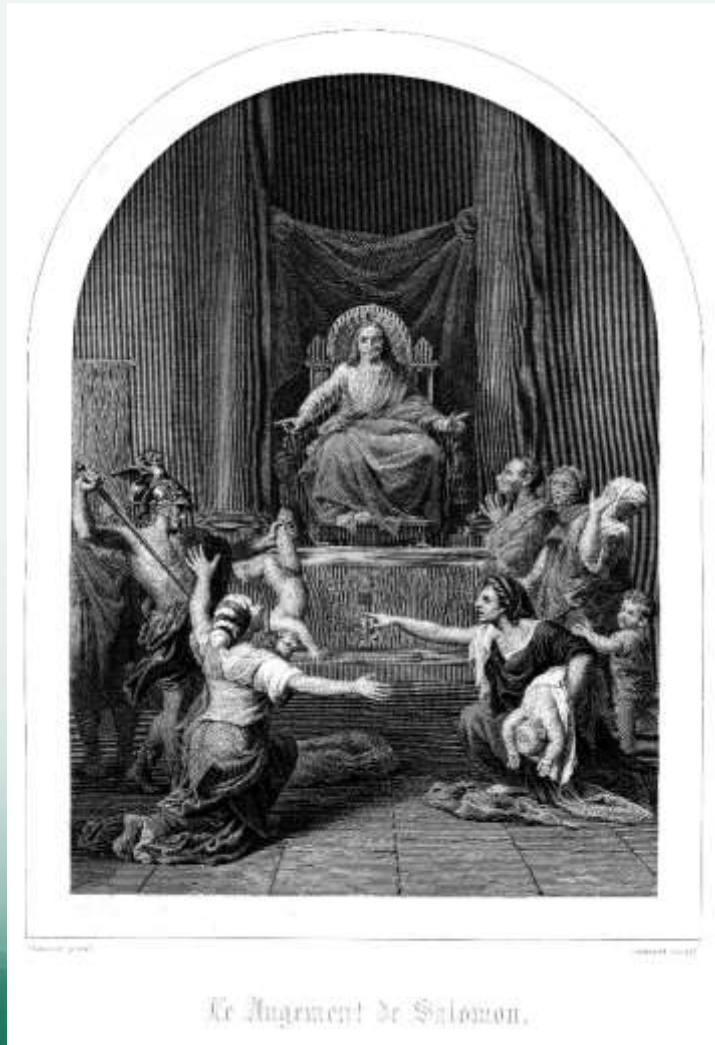
# Who are We?

## What are Our Perspectives?



Photo credit: Istock <http://www.istockphoto.com/vector/recycling-with-people-and-globe-20759973?st=84ceb3e>

# Evolution of the Family Justice System





# Impetus for Change



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# Why Traditional Approaches Were Not Working



# Actors of the System Convene





# Alberta's Response

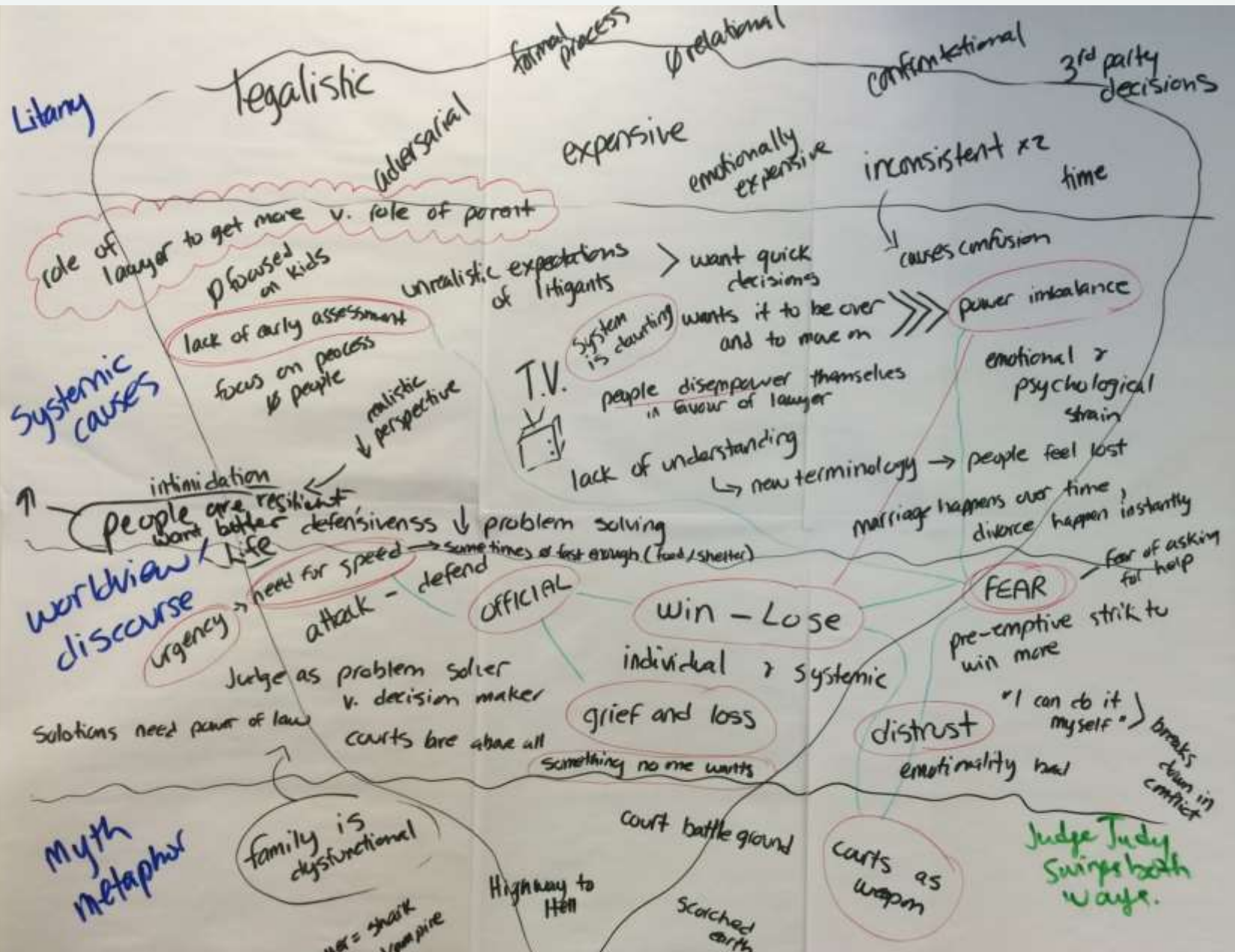




# Seeking New Ways



# Causal Layered Analysis



# Family Justice System: Litany



Photo credit: Istock <http://www.istockphoto.com/photo/difficult-choice-4879520?st=3912863>

# 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**



# Working\* Theory of Change

Family justice issues are primarily social, relationship and financial, that contain a legal element

## Family Justice System

The public is at the centre of this initiative, and we are committed to engage diverse perspectives including aboriginal, faith-based, immigrant, gender, mental health, addiction & poverty. The public will be engaged in the cross-sector working groups as they work on prototype design, implementation and evaluation. We have intentionally included participants who might not traditionally be considered as part of the justice community but which we recognize as key members of the family justice system, such as psychologists, social workers, health care providers, educators and financial advisors. There are currently 10 sectors engaged in the initiative: Dispute resolution; Legal; Courts; Education & information for families; Education for lawyers, paralegals & law students; Family support; Evaluation & research services; Funders; Government; Alberta Justice & Solicitor General

### 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

### Key Strategies

#### 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 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



# Our Observations



# What Did We Learn?



# What's Next?





Questions?