

**AN EVALUATION OF  
CALGARY'S DISPUTE RESOLUTION OFFICER PILOT PROJECT AND  
EDMONTON'S CHILD SUPPORT RESOLUTION PILOT PROJECT**

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# EXECUTIVE SUMMARY

## Purpose of the Project

The purpose of the project, as stated in the Request for Proposal (RFP) from Alberta Justice, was “to evaluate the Dispute Resolution Officer program based in Calgary and the Child Support Resolution program in Edmonton.” The Dispute Resolution Officer (DRO) Pilot Project was started in Calgary on December 1, 2001, and the Child Support Resolution (CSR) Pilot Project began in Edmonton on September 1, 2002. Given that the Calgary program has been in operation longer than the Edmonton program and is larger in scope, the major focus of the evaluation was on the DRO program. The evaluation was conducted from January 2, 2003 to March 31, 2003.

Information from this evaluation study will assist with the government’s review of the two dispute resolution pilot projects. Should the government decide to continue these programs, the findings will also inform efforts to improve or enhance program services. In addition, findings from this evaluation will be informative in efforts to expand the current projects or to develop dispute resolution programs in other jurisdictions.

## Research Approach

The Canadian Research Institute for Law and the Family (CRILF) used a multi-component study to collect both quantitative and qualitative data and information necessary to answer the research questions. Four components were used. The first component involved 72 key informant interviews that were conducted with DRO and CSR personnel, court officials, family law lawyers, family court judges, and community representatives. The second component involved a review of existing program information such as background and descriptive materials related to the programs, their development, and the services provided. The third component involved analyses of existing program data that have been collected by the programs since their establishment. The data included: basic information on case characteristics (e.g., application type, issues settled, estimated court time saved, adjournments); court applications prior to and after implementation of the DRO program; 1,000 DRO officer reports and 155 CSR officer reports; 1,055 DRO and 81 CSR client exit surveys; and 196 DRO Participating Lawyer surveys. For the fourth component, CRILF developed expanded DRO and CSR client exit surveys to collect additional information on client satisfaction and experience with the family law system. Over a three-week period, 31 completed questionnaires in Calgary and 16 in Edmonton were collected and analysed. In addition, in Calgary, 50 telephone interviews were conducted with previous clients using the expanded exit survey.

The following limitations to the project should be noted. The short timeframe for the evaluation limited the amount of primary data (e.g., new information from clients) that could be collected, and restricted the number of key informant interviews that could be conducted. Results of this evaluation are more relevant for Calgary than Edmonton

because the majority of data was collected from the DRO program, which has been in existence longer than the CSR program. The client surveys were voluntary for participants, and therefore represent a self-selected sample. For this reason, responses should not be generalized to all clients who use the programs. With respect to the court application data, it should be noted that any differences pre- and post-program implementation cannot solely be attributed to the DRO program as other factors may also have affected court applications. Lastly, it should be noted that objective outcome data were not available for this evaluation study; however, to compensate for this, data were collected from several different sources in an attempt to provide as complete a picture of the programs as possible.

## **Highlights**

Highlights of the findings addressing each of the research questions are provided below.

### **Research Question #1: What needs, real or perceived, led to the development of the projects and what led to the development of different programs in the two cities?**

- There is a general perception among the legal community and the public that the judicial system is limited in how it can adequately and appropriately address family law disputes.
- Specific needs leading to the development of the DRO Pilot Project were identified as: reducing delays in the legal process; reducing the high cost of court proceedings; providing assistance and education for self-represented individuals; improving access to justice; reducing stress between parties; and reducing litigation.
- The DRO project was initiated and supported by the Family Law Bar and the Court of Queen's Bench in Calgary, while the CSR project was based on the DRO project and advocated for by the Court of Queen's Bench in Edmonton.
- The decision was made to limit the CSR project to cases involving child support issues where the applicant was self-represented.

**Research Question #2: Are the various processes and procedures adopted for these programs well suited (logically and procedurally) to meeting the real and perceived needs behind the programs?**

- The vast majority of the key informants agreed that the DRO project assisted parents with settling family law disputes before reaching court, thus saving court time and expenses.
- The majority of key informants agreed that the DRO meeting should be mandatory for parties bringing any application dealing with child support.
- Most of the DROs thought that the training/orientation session was adequate. Respondents generally felt that the level of expertise already possessed by senior family law volunteers made the need for more formal training unnecessary.
- Only about half of the key informants thought that a one-hour meeting time was sufficient for a DRO meeting.
- All of the key informants agreed that the CSR project assisted self-represented applicants settle their cases involving child support and arrears before reaching court, thus saving court time and expenses.
- Almost all agreed that the CSR meeting should be mandatory for self-represented applicants whose cases involved child support.
- All of the CSR officers felt that the training/orientation session was adequate.
- Over half of the informants thought that one hour was not sufficient time for a CSR meeting.
- Very few DROs, CSR officers, and clients reported safety concerns during the meetings. Both programs have procedures in place to deal with cases where safety is an issue, including panic buttons in the meeting rooms, and the ability to conduct meetings by teleconference.

**Research Question #3: Are there processes in place in Edmonton that would benefit the Calgary program, and vice versa?**

- Over half of the key informants thought the CSR project should be available to applicants with legal representation, as is the case with the DRO project.
- Over half of the key informants thought the CSR project should be expanded to include other family law matters, as is the case with the DRO project.
- Two program personnel thought that the DRO project should not require the initial step of filing a Notice of Motion by the applicant before a meeting, as is the case with the CSR project.

**Research Question #4: In Calgary, has the DRO project reduced the court's caseload and time spent on these kinds of cases?**

- Almost all informants thought the project has reduced the court's caseload and court time.

- The number of court applications scheduled into Family Law Chambers or Domestic Special Court decreased 6.7% from 2001 to 2002.
- DROs estimate about 1,004 hours, or 143 seven-hour days, in court time have been saved since the project started.

**Research Question #5: In Calgary, has the DRO project saved clients (i.e., applicants and respondents) time and costs?**

- The large majority of key informants agreed that the project has saved clients time and costs related to legal services.
- Most clients who commented on this issue reported that the DRO project did save them time and/or money.

**Research Question #6: In Calgary and Edmonton, what are the levels of satisfaction with the projects for clients, judges, lawyers and the officers delivering the program?**

- Most clients were satisfied with their DRO. They reported that the DRO was reasonably informed and prepared, there were no delays in meeting with the DRO, and sufficient time was booked for the meeting.
- Just over half of the clients were satisfied with the outcome of their meeting.
- Almost all clients would use the DRO program again, and would recommend the program to someone else.
- Over three-quarters of clients agreed the DRO program should be mandatory for all child support cases.
- A large majority of participating lawyers reported that the DRO was reasonably informed and prepared, there were no delays in the meeting with the DRO, and sufficient time was booked for the meeting.
- Almost all participating lawyers would use the DRO program again.
- Almost all judges and participating lawyers have recommended DRO meetings to others.
- Just over half of DROs thought that the commitment of a half-day per 3 or 4 weeks was “about right.”
- Almost all clients reported that the CSR officer was reasonably informed and prepared, there were no delays in meeting with the officer, and sufficient meeting time was booked.
- Most clients were satisfied with their CSR officer, and just over half were satisfied with the outcome of their meeting.
- Almost all clients said they would use the CSR program again, and would recommend the program to someone else.
- The large majority agreed the CSR program should be mandatory in child support cases where the applicant does not have a lawyer.

- All CSR officers thought that the commitment of one to two meetings per month for CSR volunteers was “about right.”

**Research Question #7: In Calgary, does the program help resolve cases? For those cases where service is delivered, what are the case outcomes, and how many issues get settled in the DRO program?**

- Based on the DRO reports, of 1,547 issues discussed at 1,000 DRO meetings, over half were settled and over one-quarter were narrowed.
- The issues most likely to be resolved/narrowed during a DRO meeting were child support, custody, and access.

## **Implications**

The findings of this evaluation indicate that both the Dispute Resolution Officer Pilot Project in Calgary and the Child Support Resolution Pilot Project in Edmonton are successful. Results of the evaluation identified a number of areas where the projects were effective as well as where services could be enhanced, expanded, or further developed. Based on feedback from the program personnel, court officials, family law lawyers, family court judges, community representatives, and clients, the DRO and CSR meetings are described as effective and valuable in assisting parties to settle or narrow family law disputes. Clients overwhelmingly indicated that they would use the programs again and recommend them to others in similar situations. Data from DRO reports indicated that issues were settled or narrowed over 80% of the time, and a subset of clients who completed the expanded exit survey reported that issues were settled or narrowed two-thirds of the time. The number of court applications scheduled into Family Law Chambers or Domestic Special Court in Calgary decreased 6.7% from 2001 to 2002. DROs estimate that a total of 1,004 hours of court time have been saved since the program began. Almost all key informants thought that the project has reduced the court’s caseload and time. Also noteworthy is the easily accessible and simple process of the CSR program for self-represented applicants dealing with child support issues which suggests that access to justice is enhanced for individuals who otherwise might not have been able to afford legal assistance.

While findings of this evaluation overall were very positive, there were some suggestions related to delivery of program services and program development that are worthy of consideration. The provision of longer meeting times such as one and one-half hours instead of one hour could more effectively address more complicated issues or cases involving more than one issue. A concern was expressed by some DROs that the time commitment expected of them was excessive, and some reported feelings of burnout. Some officers felt that, in addition to not receiving any remuneration, they also did not receive any recognition for their volunteerism. Also, in many cases clients and their lawyers are not aware that DROs are volunteering their time. To enhance the long-term sustainability of the programs, means by which volunteer lawyers could be rewarded, such as with an honorarium, should be explored. In addition, publicizing the programs more widely to the legal community and the public would enhance the recognition received by volunteer officers. To ensure that volunteers are not wasting

their time when clients and/or their lawyers fail to appear for a scheduled meeting, the programs may wish to consider attempting to confirm attendance of all parties the day prior to the meeting. With regards to program development, several key informants suggested that the CSR project could be expanded to make it more similar to the DRO project. Specifically, respondents suggested that the CSR project could be made available to applicants with legal representation, and that the scope of the project could be broadened to include family law issues in addition to child support.

The focus of this evaluation was primarily on Calgary's DRO project, since it has been in existence longer than Edmonton's CSR project and thus has a larger client base. As the CSR project becomes more established, consideration should be given to conducting a larger-scale evaluation of the program. This is especially important given that the procedures used in Calgary are somewhat different than those used in Edmonton, and thus the results of this evaluation that are specific to the DRO project cannot be generalized to the CSR project. In addition, a longer-term evaluation study that could incorporate more objective outcome measures would be beneficial for both the Calgary and Edmonton programs. A comprehensive evaluation could examine questions such as:

- Are agreements reached in meetings implemented?
- Does the use of the DRO or CSR projects result in decreased conflict between the parties?
- Are outcomes different when a client's lawyer attends a meeting?
- Does the presence of a third party (such as a new spouse) affect the outcome of a meeting?
- What case characteristics are related to the likelihood of different issues being resolved? Are some issues more amenable to settlement than others?
- Are parties who attend DRO or CSR meetings better equipped to resolve future issues independently?
- Can any reductions in court caseload and time be directly attributed to the DRO/CRS meetings?

In order to address these research questions, a longitudinal evaluation that would follow clients over time would be required. In addition, the identification of an appropriate comparison group that did not attend DRO or CSR meetings would be necessary to examine whether the meetings lead to decreased court caseload and time.

## ACKNOWLEDGEMENTS

The authors would like to acknowledge the support and assistance received from a number of people in completing this project. First, we would like to thank the DRO project personnel, Ms Colleen Nicholls, Family Law Information Centre in Calgary, and Ms Heidi Jackson, DRO clerk, and the CSR project personnel, Ms Karmen Cochrane, Family Law Information Centre in Edmonton, and Ms Sherri Curtis, CSR clerk, for meeting with us and for their assistance throughout the evaluation.

The following individuals reviewed and provided feedback on the two progress reports and a draft of the final report: Mr. Al Anderson and Dr. Francis Remedios, Alberta Justice; Ms Colleen Nicholls, Family Law Information Centre, Calgary; Ms Karmen Cochrane, Family Law Information Centre, Edmonton; and Mr. George Kiefl, Department of Justice Canada.

We would also like to acknowledge the individuals who participated in the key informant interviews. These interviews were conducted with a number of different groups: Dispute Resolution Officers, Child Support Resolution Officers, family law lawyers, Court of Queen's Bench of Alberta justices, DRO Steering Committee, law society and community representatives (Canadian Bar Association Family Law Subsection, Calgary Legal Guidance), Court of Queen's Bench of Alberta court officials, and DRO and CSR program clerks. Special acknowledgement goes to those individuals who filled out Participant Questionnaires and agreed to do a follow-up telephone interview with us where they shared additional information about their cases and their experiences with the dispute resolution meetings.

We thank Dr. Joseph Hornick, Executive Director of the Canadian Research Institute for Law and the Family, for his consultation on the project and for reviewing the final draft of this report. We also thank Ms Linda Bland for her assistance with data entry and word processing.

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# 1.0 INTRODUCTION

## 1.1 Background

The Dispute Resolution Officer (DRO) Pilot Project was started in Calgary on December 1, 2001, and the Child Support Resolution (CSR) Pilot Project began in Edmonton on September 1, 2002. The two pilot projects are funded through the Child-centred Family Justice Fund of the Family, Children and Youth Section of the Department of Justice Canada, and are also supported by Alberta Justice and a large volunteer base of family law lawyers. Through the use of meetings between a DRO or CSR officer and the parties, both dispute resolution projects are intended to provide individuals with an opportunity to resolve legal disputes related to family matters without necessarily having to attend court, or requiring as little court time as possible. As described more fully later in this report, there are a number of significant differences between the two projects. The two projects are largely dealt with separately in this evaluation, except when comparisons are necessary in order to address specific research questions.

The dispute resolution programs represent increasing efforts by government Justice departments and legal professionals to provide alternatives to the court process and to more effectively assist families going through separation and divorce.<sup>1</sup> There is general agreement that the court process is not the optimal solution for many of these families for a number of reasons.<sup>2</sup> The adversarial and competitive nature of the litigation process contributes to tension and strain already existing between the individuals. Litigation does not address the needs of clients who must continue some kind of long-term relationship as parents sharing in their children's upbringing. Besides the nature of the process itself, the considerable financial costs, delays, and lengthy time that may be required to settle various matters puts added burden on the individuals.

According to the Court of Queen's Bench website:<sup>3</sup>

Generally, the litigation system is "back-end loaded" in that many of the resources and judicial time are expended late in the process to ultimately result in a trial. A more appropriate use of resources, it is reasoned, would be to "front-end load" the system to place emphasis on intervention at the earliest possible stage. The use of mediation skills at this point in time would be beneficial to all parties. Hence, the concept of the Dispute Resolution Officer Pilot Project.

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<sup>1</sup> Canadian Forum on Civil Justice. (Spring 2002). Cross Country Snapshot of Dispute Resolution. *Newsletters* (Issue 4). Retrieved March 18, 2003, from [www.cfcj-fcjc.org/issue\\_4/n4-snapshot.htm](http://www.cfcj-fcjc.org/issue_4/n4-snapshot.htm).

<sup>2</sup> Christopher, M. (2002 December/2003 January). Mandatory Mediation and the Good Divorce. *LawNow*, pp. 9-12.

<sup>3</sup> Dispute Resolution Officer General Information. Retrieved November 25, 2002, from [www.albertacourts.ab.ca/ab/dro](http://www.albertacourts.ab.ca/ab/dro).

In Calgary, efforts to offer dispute resolution services in family law were led by the Family Law Bar and the judiciary. In particular, Justice Colleen Kenny, Mr. Lonny Balbi, Mr. Victor Tousignant, Q.C., Mr. Doug Moe, Mr. Blair Laven, and Ms Colleen Nicholls have all been acknowledged as playing key roles in the initiation and development of the DRO Pilot Project. In order to keep costs at a minimum, it was recognized that the DROs would need to be voluntary positions. Alberta Justice agreed to provide office space, computer resources, and project administration, and with support from the Department of Justice Canada, a full-time DRO clerk position was also funded. The decision was made to have DRO services available to all individuals with family law disputes, but mandatory for matters related to child support.

Even in its early stages, the DRO Pilot Project in Calgary was regarded as being a success.<sup>4</sup> This was noted by the judiciary in Edmonton and efforts were made to offer similar services, but on a smaller scale. There was less willingness among the Edmonton Family Bar to initiate such a project, and so, with support of the Edmonton judiciary, the CSR Pilot Project was started by Justice Marguerite Trussler, who selected legal counsel from the Family Law Information Centre (Ms Karmen Cochrane and Mr. Brad Kring) to develop and manage the project. A full-time CSR clerk position was also funded by Justice Canada. As was the case in Calgary, the CSR Pilot Project had early success and demand for services required additional CSR officers, who were brought in as volunteers. Response from the Edmonton Family Bar was very supportive. As described in more detail in Section 2.0 (Program Descriptions), the CSR Pilot Project focuses its services on self-represented applicants for matters related to child support.

To our knowledge there are only two other programs currently in place in Canada that are comparable to the pilot projects. Toronto's Dispute Resolution Programme (DRP) has been in operation since 1996 and operates out of the Superior Court of Ontario, Family Division.<sup>5</sup> Toronto's DRP provides a way to address family law disputes through the use of meetings with a Dispute Resolution Officer. Attendance at a DRP meeting is mandatory for parties with child support applications involving variations and/or recalculations. There are currently 30 volunteer officers who are senior family law lawyers; recently, officers started receiving an honorarium of \$250/day for their services. Another program that is comparable to the Calgary and Edmonton projects is the Child Support Variation Service (CSVS) Pilot Project in Saint John, New Brunswick, which began November 2002 and operates out of the Court of Queen's Bench, Family Division.<sup>6</sup> The CSVS Pilot offers a pre-hearing conciliation meeting with a conciliation officer where only child support issues are addressed. Attendance at a CSVS meeting is mandatory for parties seeking child support variation. There are currently eight family

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<sup>4</sup> Brink, N. (2002, May 24). Family Law Dispute Resolution Project Off to a Great Start. *The Lawyers Weekly*, p. 19; Knapp, S. (2002, April 16). Program Eases Load on Courts. *Calgary Herald*, p. B4; Project a Success! (2002, August). Dispute Resolution Officer News (Vol. 1, Issue 1). Calgary: DRO Pilot Project.

<sup>5</sup> Mr. Ross Davis, Bennett, Best, Burn, LLP, Toronto, ON (personal communication, March 24, 2003); Bakogeorge, P. (March 17, 2003). Experienced Volunteers Make DRO System Work. *Law Times*, p. 10.

<sup>6</sup> Ms Joanne Higgins and Ms Pat Anglin, Court Services Program Support, New Brunswick Justice and Attorney General (personal communication, March 26, 2003).

law lawyers acting as conciliation officers who receive some remuneration for conducting meetings.

Some court-based dispute resolution programs have also been implemented or piloted in other provinces.<sup>7</sup> For example, in Nova Scotia, parties that start an action in the Supreme Court (Family Division) are required to attend (separately or together) a conciliation meeting with a conciliation officer who will assess and advise them on available options.<sup>8</sup> In Québec, parties in family law cases are required to attend an information session after which the couple decides whether to undertake mediation in order to reach an agreement or to pursue legal proceedings. Couples with children are entitled to six free mediation sessions.<sup>9</sup> In Ontario, the Mandatory Mediation Program requires all civil non-family cases in the Superior Court in Ottawa, Toronto and Windsor to be referred to mediation by private-sector mediators.<sup>10</sup> The goal of this project is to reduce cost and delay in litigation, and to facilitate the early and fair resolution of cases.

## 1.2 Purpose of the Project

The Canadian Research Institute for Law and the Family (CRILF) was awarded a contract by Alberta Justice to undertake a short-term evaluation study of Calgary's DRO Pilot Project and Edmonton's CSR Pilot Project. The evaluation was conducted from January 2, 2003 to March 31, 2003, and this report presents the findings.

The purpose of the project, as stated in the Request for Proposal (RFP) from Alberta Justice, was "to evaluate the Dispute Resolution Officer program based in Calgary and the Child Support Resolution program in Edmonton." Given that the Calgary program has been in operation longer than the Edmonton program and is larger in scope, the major focus of the evaluation was on the DRO program.

Information from this evaluation study will assist with the government's review of the two dispute resolution pilot projects. Should the government decide to continue these programs, the findings will also inform efforts to improve or enhance program services. In addition, findings from this evaluation will be informative in efforts to expand the current projects or to develop dispute resolution programs in other jurisdictions.

### 1.2.1 Research Questions

The evaluation addressed the following research questions, as specified in the Alberta Justice RFP:

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<sup>7</sup> Chornenki, G.A., & Hart, C.E. (2001). *Bypass Court: A Dispute Resolution Handbook* (2<sup>nd</sup> ed.). Vancouver, BC: Butterworths; Christopher, M. (Dec. 2002/Jan. 2003). Mandatory Mediation and the Good Divorce. *LawNow*, pp. 9-12.

<sup>8</sup> Retrieved March 10, 2003, from <http://www.courts.ns.ca/supreme/sc-family5.htm>.

<sup>9</sup> Retrieved May 6, 2003, from <http://www.justice.gouv.qc.ca/english/publicatons/generale/mediation-a.htm>.

<sup>10</sup> Retrieved March 9, 2003, from <http://www.attorneygeneral.jus.gov.on.ca/english/courts/manmed/factsheet.asp>.

1. What needs, real or perceived, led to the development of the projects and what led to the development of different programs in the two cities?
2. Are the various processes and procedures adopted for these programs well suited (logically and procedurally) to meeting the real and perceived needs behind the programs?
3. Are there processes in place in Edmonton that would benefit the Calgary program, and vice versa?
4. In Calgary, has the DRO project reduced the court's caseload and time spent on these kinds of cases?
5. In Calgary, has the DRO project saved clients (i.e., applicants and respondents) time and costs?
6. In Calgary and Edmonton, what are the levels of satisfaction with the projects for clients, judges, lawyers and the officers delivering the program?
7. In Calgary, does the program help resolve cases? For those cases where service is delivered, what are the case outcomes, and how many issues get settled in the DRO program?

### **1.3 Methodology**

#### **1.3.1 Research Design**

CRILF used a multi-component study to collect the information necessary to answer the research questions outlined in Section 1.2.1. The components consisted of key informant interviews, a review of existing program information, analyses of existing program data, and analyses of an expanded client exit survey. These methodologies are described in more detail below.

Table 1 presents the research questions and the associated data sources necessary to address them. In all cases, more than one research methodology was used to provide data relevant to each research question. Accordingly, the sample size varies for each data source analyzed. Both qualitative (e.g., interview information) and quantitative data (e.g., program statistics, expanded client exit survey) were collected and analyzed. Qualitative data were analyzed using the computer program QSR N5 NUD\*IST (Non-numerical Unstructured Data – Indexing, Searching, and Theorizing). Quantitative data were analyzed using SPSS (Statistical Package for the Social Sciences) and Microsoft Excel.

**Table 1**

**Research Questions and Associated Data Sources**

Research Questions	Data Sources	
	Calgary's Dispute Resolution Officer Pilot Project	Edmonton's Child Support Resolution Pilot Program
1. What needs, real or perceived, led to the development of the projects and what led to the development of different programs in the two cities?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- Steering Committee interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- program information</li> </ul>	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- CSR manager interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- program information</li> </ul>
2. Are the various processes and procedures adopted for these programs well suited (logically and procedurally) to meeting the real and perceived needs behind the programs?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- Steering Committee interviews</li> <li>- DRO interviews</li> <li>- client interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- program clerk/court official interviews</li> <li>- community representative interviews</li> <li>- client exit surveys</li> <li>- program information</li> </ul>	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- CSR manager interviews</li> <li>- CSR officer interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- program clerk/court official interviews</li> <li>- community representative interviews</li> <li>- program information</li> </ul>
3. Are there processes in place in Edmonton that would benefit the Calgary program, and vice versa?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- Steering Committee interviews</li> <li>- judge interviews</li> <li>- program clerk/court official interviews</li> <li>- community representative interviews</li> <li>- program information</li> </ul>	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- CSR manager interviews</li> <li>- CSR officer interviews</li> <li>- judge interviews</li> <li>- program clerk/court official interviews</li> <li>- community representative interviews</li> <li>- program information</li> </ul>
4. In Calgary, has the DRO project reduced the court's caseload and time spent on these kinds of cases?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- DRO interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- program clerk/court official interviews</li> <li>- court utilization data pre- and post-program</li> <li>- DRO reports</li> </ul>	not applicable
5. In Calgary, has the DRO project saved clients (i.e., applicants and respondents) time and costs?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- DRO interviews</li> <li>- client interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> </ul>	not applicable
6. In Calgary and Edmonton, what are the levels of satisfaction with the projects for clients, judges, lawyers and the officers delivering the program?	<ul style="list-style-type: none"> <li>- DRO interviews</li> <li>- client interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- client exit surveys</li> <li>- participating lawyer survey</li> </ul>	<ul style="list-style-type: none"> <li>- CSR officer interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- client exit surveys</li> </ul>
7. In Calgary, does the program help resolve cases? For those cases where service is delivered, what are the case outcomes, and how many issues get settled in the DRO program?	<ul style="list-style-type: none"> <li>- program personnel interviews</li> <li>- client interviews</li> <li>- judge interviews</li> <li>- participating lawyer interviews</li> <li>- client exit surveys</li> <li>- DRO reports</li> </ul>	not applicable

## Key Informant Interviews

The first component involved interviewing key players in the programs such as DRO and CSR personnel, court officials, family law lawyers, family court judges, and community representatives. The specific key informants interviewed were determined in consultation with the programs. Interview schedules were developed in the design phase of the project in consultation with Alberta Justice, the Department of Justice Canada, and the programs (see Appendix A), and 72 interviews were conducted between January 30 and February 24, 2003. The majority of interviews were conducted over the telephone; however, a self-completion format was made available to DROs and CSR officers in order to maximize participation rates. Five officers chose to submit their responses by e-mail. The numbers of interviews completed were as follows:

### DRO Program

- DRO Steering Committee Members (see Appendix A, page A1): 6 of 6
- Dispute Resolution Officers (see Appendix A, page A2): 26 of 29 who had conducted at least one meeting as of December 31, 2002
- Judges and Family Law Lawyers (see Appendix A, page A5): 4 judges and 7 lawyers
- Program Clerks and Court Officials (see Appendix A, page A12): DRO clerk and the Senior Manager of Court of Queen's Bench

### CSR Program

- CSR Program Managers (see Appendix A, page A7): 2 of 2
- Child Support Resolution Officers (see Appendix A, page A8): 13 of 15 who had conducted at least one meeting as of December 31, 2002
- Judges and Family Law Lawyers (see Appendix A, page 10): 3 judges and 2 lawyers
- Program Clerks and Court Officials (see Appendix A, page A12): CSR clerk, Family Law Information Centre clerk, the Supervisor of Chambers of Court of Queen's Bench, and the Senior Manager of Court of Queen's Bench

### Community Representatives (Both Programs)

- Law Society, Canadian Bar Association, Calgary Legal Guidance (see Appendix A, page A13): 3

## Review of Existing Program Information

The second component involved a review of existing program information such as background and descriptive materials related to the programs, their development, and the services provided. It was important to document the impetus for development of the programs, as well as their implementation and operation. Not only is this

information necessary to assess the effectiveness of the programs, it is essential if other jurisdictions wish to establish similar programs.

### Analyses of Existing Program Data

The third component consisted of analyzing data that have already been collected by the programs since their establishment. The programs currently collect basic information on case characteristics (e.g., application type, issues settled, estimated court time saved, adjournments). Data on applications to the court before and after establishment of the Calgary program were obtained to examine possible reductions of court caseloads. Data prior to implementation of the DRO program were obtained for the period December 1, 2000 to November 30, 2001, and data after implementation of the program were available for the period December 1, 2001 to November 30, 2002.

In both Calgary and Edmonton, the officers complete a report upon conclusion of the meeting. In Calgary, the Dispute Resolution Officer Report documents: whether attendance by the parties was by consent, mandatory, or by referral; whether the parties were married; the outcome of the meeting by type of issue; and an estimate of court time saved (see Appendix B, page B1). In Edmonton, the Report of the Child Support Resolution Officer documents: who was present; the type of application; the applicable legislation; the outcome of the meeting; and the length of the meeting (see Appendix B, page B2). There were 1,000 DRO reports for the period December 1, 2001 to February 21, 2003, and 155 CSR reports for the period September 1, 2002 to February 20, 2003.

The programs also administer a brief exit survey to clients upon completion of the program. The exit survey developed by the programs asked clients about the outcome of their appearance, whether the DRO [CSR officer] was prepared for their case, whether there was a delay, whether sufficient time was booked for their appearance, and whether they would use the program again. Clients were also asked if they would be willing to be contacted to answer additional questions about the program and, if so, to provide their telephone number. In Calgary, the DRO program developed a brief exit survey to be administered to clients upon completion of the meeting (Calgary exit survey #1; n=815; see Appendix C, page C1). This survey was revised by the program in December 2002 to collect information on the specific issues dealt with during the meeting (Calgary exit survey #2; n=240; see Appendix C, page C2). This revised survey was administered until the expanded instrument developed by CRILF for this evaluation was implemented on January 30, 2003 (see description below). In Edmonton, the CSR program also administered a brief exit survey to clients (Edmonton exit survey #1; n=81; see Appendix C, page C7). This survey was administered from the inception of the program until implementation of the expanded survey developed by CRILF on January 30, 2003.

In Calgary, the program developed a Participating Lawyer Questionnaire, which was designed to collect the same information as the program's revised client exit survey (Calgary exit survey #2) from lawyers who attended the meeting with their clients (see

Appendix C, page C6). The Participating Lawyer Questionnaires were implemented in December 2002, and were collected until January 30, 2003 (n=196).

### Analyses of Expanded Client Exit Surveys

For the fourth component, CRILF expanded the client exit survey to collect additional information on client satisfaction and experience with the family law system. Clients were asked about their previous involvement with other dispute resolution mechanisms such as mediation and whether they have attended the Parenting After Separation Seminars (PASS).<sup>11</sup> More detailed information was also collected regarding clients' experience and satisfaction with the DRO or CSR programs. The expanded survey (see Appendix C, pages C3 and C8), with a cover letter explaining the study, was given to clients completing the programs for a 16-day period in both locations from January 30 to February 21, 2003. In Calgary, out of a possible 106 questionnaires distributed to clients, 31 completed surveys were returned, resulting in a response rate of 29%. In Edmonton, out of a possible 44 questionnaires distributed to clients, 16 were returned, for a response rate of 36%.

In addition, in Calgary, previous clients who indicated on their exit survey that they were willing to be contacted were asked to complete the expanded survey during a telephone interview. It was decided to contact clients in reverse chronological order based on the date of the DRO meeting until 50 interviews were completed. Contact was attempted with 61 clients before the target of 50 interviews was reached, resulting in a response rate of 82%. These interviews were conducted between January 30 and February 24, 2003. Initial analyses indicated no systematic differences between the written and telephone survey responses; therefore the telephone interview data were combined with the written responses for analysis purposes (n=81).

Selected characteristics of this sample of DRO clients who completed the expanded survey are presented in Table 2. Females (58%) were more likely to complete the survey than were males (41%). The mean age of survey respondents was 41 years, with a range of 23 to 63 years. Most clients (62%) fell into the 31-50 age category. At the time of the survey, 42% of respondents said that they were married or separated, and one-third were divorced. Almost half (47%) of the respondents had attended the Parenting After Separation Seminars at the time of the survey. Clients were asked if they used any other forms of alternative dispute resolution services. Over one-third (35%) said that they had used other dispute resolution services with almost all of these clients indicating that they had used mediation services.

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<sup>11</sup> Attendance at the Parenting After Separation Seminars (PASS) is mandatory in Alberta for separating or divorcing parents. The goal of PASS is to provide parents with information about the divorce process, its effects on their children, techniques for improving communication, legal issues, and to encourage the use of mediation and parenting plans. Clients were asked about their previous involvement with other dispute resolution mechanisms and PASS to provide an indication of their knowledge of the divorce process prior to attending a DRO meeting.

**Table 2**

**Characteristics of Participants Completing the Expanded  
Dispute Resolution Officer Client Exit Survey**

<b>Characteristic</b>	<b>Survey</b>
Gender	
Female	47 (58.0%)
Male	33 (40.7%)
Missing	1 (1.2%)
Average Age	
Mean	41 years
Median	42 years
Range	23 - 63 years
Missing	3 (3.7%)
Age Groups	
18 - 30	13 (16.0%)
31 - 40	23 (28.4%)
41 - 50	27 (33.3%)
51 - 60	13 (16.0%)
61 and older	2 (2.5%)
Missing	3 (3.7%)
Marital Status	
Married/separated	34 (42.0%)
Divorced	27 (33.3%)
Never married	11 (13.6%)
Missing	9 (11.1%)
Attendance at Parenting After Separation Seminars	
Yes	38 (46.9%)
No	42 (51.9%)
Missing	1 (1.2%)
Use of Other Alternative Dispute Resolution Services	
Arbitration	1 (1.2%)
Judicial Dispute Resolution	1 (1.2%)
Negotiation	1 (1.2%)
Mediation	23 (28.4%)
Other	2 (2.5%)

Source of data: Expanded DRO Client Exit Survey

Total N = 81 clients.

### 1.3.2 Limitations

There are some general limitations to the evaluation that should be acknowledged. First, the timeframe for the evaluation was very short, and therefore the amount of primary data (e.g., new information from clients) that could be collected was limited. The amount of information obtained from the expanded client exit survey was dependent upon the number of clients participating in the program in late January and February. The short timeframe also restricted the number of key informant interviews that could realistically be completed with professionals working in the area.

A second limitation is that the majority of data was collected from the Calgary DRO program since it has been in existence longer than the Edmonton CSR program and thus has a larger client base. For this reason, the results of this evaluation are more relevant for Calgary than Edmonton.

In addition, there are some limitations specific to the various data collection strategies. The client exit surveys administered in Calgary and Edmonton are voluntary for participants upon completion of their meeting, and therefore represent a self-selected sample. For this reason, responses should not be generalized to all clients who use the programs. Further, in Calgary, prior to implementing the expanded client exit survey, it was possible that some lawyers attending a meeting with their clients completed the exit questionnaire on behalf of their clients. To the extent that they could be identified, these questionnaires have been excluded from the database. However, it is possible that the database includes some questionnaires completed by lawyers.

With respect to the court application data, it should be noted that any differences pre- and post-program implementation cannot solely be attributed to the DRO program. Other factors, such as Calgary's Collaborative Family Law Program,<sup>12</sup> may also have affected court applications.

Lastly, it should be noted that objective outcome data were not available for this evaluation study. However, to compensate for this, data were collected from several different sources in an attempt to provide as complete a picture of the programs as possible.

## **1.4 Organization of the Report**

Section 2.0 of this report provides a description of Calgary's Dispute Resolution Officer Pilot Project and Edmonton's Child Support Resolution Pilot Project. Section 3.0 contains the findings from the evaluation. This section is organized by research question, and each subsection presents data that were analyzed to address a specific

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<sup>12</sup> Collaborative Family Law involves clients and collaborative lawyers meeting in an attempt to resolve family law issues in a non-adversarial cooperative manner. Both parties sign a contract agreeing to the process, which includes a commitment to settle the case without going to court. For more information, please go to [www.collaborativelaw.ca/default.htm](http://www.collaborativelaw.ca/default.htm).

question. In addition, where appropriate, data are presented separately for the two projects. Section 4.0 presents the conclusions of the evaluation, including a summary of the project, highlights of findings, and discussion of the findings. The appendices contain the data collection instruments that were used in the study.



## 2.0 PROGRAM DESCRIPTIONS

### 2.1 Calgary's Dispute Resolution Officer Pilot Project

#### Administration

The Dispute Resolution Officer (DRO) Pilot Project was initiated December 1, 2001, and is administered through the Court of Queen's Bench Family Law Information Centre in Calgary. The project is supported by funding from the Department of Justice Canada (Family, Children and Youth Section), resources and personnel from Alberta Justice (Court of Queen's Bench), and volunteers from the Family Law Bar. Alberta Justice is involved in a number of ways, such as provision of office space and supplies, a special DRO meeting room, and computer and communication resources. A Court of Queen's Bench justice is responsible for judicial input into the project. A Court of Queen's Bench administrator (who is also a lawyer) in the Family Law Information Centre, is responsible for administering the DRO project, and a full-time DRO clerk coordinates the DRO project on a day-to-day basis. The DRO clerk position was originally part-time (.6 full-time equivalent), but was changed to full-time in order to meet the demands of the project. Less than one-half of the funding for this position comes from the Child-centred Family Justice Fund; the other portion is covered by the Family Law Information Centre budget.

The DRO project does impose some level of administrative workload on the Court of Queen's Bench and funding for services and time is not covered in the DRO project funding. For example, the Court of Queen's Bench management has been assisting with the project, including helping to set it up in the courthouse. Funding also does not cover occasions when Family Law Information Centre staff are required to provide back-up when the DRO clerk is away.

A DRO Steering Committee was established to oversee the DRO Pilot Project including directing the project as needed. Members of the Committee include the project's founding members and the project administrator:

- Justice Colleen Kenny, Court of Queen's Bench of Alberta
- Mr. Lonny Balbi, Family Law Bar
- Mr. Victor Tousignant, Q.C., Family Law Bar
- Mr. Doug Moe, Family Law Bar
- Mr. Blair Laven, Family Law Bar
- Ms Colleen Nicholls, DRO project administrator and counsel, Family Law Information Centre

The DRO Steering Committee handles any comments or complaints about the project. Committee members are also responsible for selecting DROs, and determining what the DRO qualifications should be. With the exception of the DRO project's liaison judge and project administrator, the members volunteer their time to the Committee. As well,

the Steering Committee has donated a fairly significant amount of personal time and materials to the project such as stationery and postage.

### Attendance

Attendance at a DRO meeting is mandatory for both the applicant and respondent when a Notice of Motion is filed for a variation of child support, an annual recalculation of child support, or an initial application for child support. Applications in other areas of family law such as custody, access, spousal support, or property division may require a DRO meeting if referred by a judge. As well, parties may wish to book a settlement conference, which means that the parties, on their own, have agreed to attend a DRO meeting in order to try to deal with their family law disputes. According to the DRO Reports, in the 981 cases in which this information was available, attendance was mandatory for the parties in most cases (89%; n=871). In 87 cases (9%), the parties attended by consent, and in 23 cases (2%) the parties were referred by a judge.

The Notice of Motion form includes a section where the date and time of the DRO meeting are recorded. A roster showing DRO names, dates and times of meetings for the next three months is used by the self-represented applicant or the applicant's lawyer in order to book a DRO meeting. On average, there is a 3 to 4 week waiting period.

Both the applicant and the respondent attend the DRO meeting. Their lawyers are not required to attend; however, in most cases, lawyers do accompany their clients. According to the expanded client exit survey (Total N=81), lawyers attended the meeting in 60% (n=48) of cases. In 19 of these cases (24%), the survey respondent's lawyer did not attend the meeting, and in 13 cases (16%), the client indicated they did not have a lawyer. Third parties such as a new spouse may also attend if both parties agree.

Under special circumstances, exemption from attending a mandatory DRO session may be granted. The self-represented applicant or the applicant's lawyer must complete a DRO Exemption form and go before a Judge to seek approval. The form is filed with the Clerk of the Court of Queen's Bench.

When parties fail to attend a scheduled DRO meeting, a notation of non-attendance is recorded in the court file and record. Court may proceed in absence of that party without further notice to them. In addition, the court could order the party to attend a DRO meeting, or could order costs against the party that refuses to attend.

### Scheduling, Booking and Conducting DRO Meetings

The schedule of sitting DROs is updated every three months. On a quarterly basis, DROs submit their available dates and times for the next three months to the DRO clerk. The DRO clerk then draws up the DRO schedule. DROs are asked to ensure their time slot is covered by another DRO on the roster if they cannot conduct

the meeting, and to notify the DRO clerk of the changes. In cases where a DRO cannot attend a meeting and a replacement officer is not available, the project administrator will step in and conduct the meeting. This has happened in eight meetings since the project began 14 months ago.

Once a DRO meeting is booked by the self-represented applicant or counsel, parties are requested to confirm their appointment two days prior to the meeting. DROs are contacted a day before the meeting in order to confirm their attendance.

Occasionally, the parties will need or want to book a second DRO meeting. The waiting time is about 3 to 4 weeks to schedule another meeting. According to the expanded client exit survey (Total N=81), only six clients (7%) indicated that they had more than one meeting.

DRO meetings are held every day that the court is sitting. Currently, seven DRO meetings are scheduled per day and each meeting is scheduled for one hour. The meetings start at 8:30 a.m., with the last one scheduled at 3:00 p.m. There are no breaks between meetings, except for 12:30 to 1:00 p.m., to allow for the change of officers. DRO meetings are conducted at the Court of Queen's Bench courthouse, in a reserved room previously used as a jury room. When the pilot project began, five meetings per day were scheduled. With increasing demand for DRO services, this increased to six meetings, then in September 2002 the decision was made to run seven per day.

The DRO meeting room contains a rectangular table, a computer (with ChildView software installed and a copy of a draft Consent Order), a telephone/printer/copier, and a blackboard. For security, a panic button has been installed at one end of the table. DROs have been advised to sit closest to the door and the telephone. Security phone numbers are posted on the door and beside the telephone.

Almost all of the DRO sessions are conducted in person; however, a few have been telephone conference meetings and either the applicant or the respondent is required to cover any long distance charges.

At the beginning of the DRO meeting, all parties are required to sign a DRO Acknowledgement form. This form states that the DRO meeting is confidential, that the DRO may not be called as a witness in any subsequent proceedings, that the meeting is conducted on a "without prejudice" basis (i.e., what is said or done in the meeting cannot be used as evidence in court), that there are no conflicts of interest involved with having this DRO conduct the meeting, and that neither the DRO nor the DRO's firm will have any future solicitor/client relationship or act as a mediator for either of the parties.

At the conclusion of a meeting, the DRO completes a one-page questionnaire, called the DRO Report, in order to report on the results of the meeting and identify the next steps in relation to the case. The report includes the following information:

- what issues were discussed and whether or not each of the issues was settled, or narrowed;
- for issues not settled, what was the next step (that is, the matter was adjourned to another DRO meeting, the matter was adjourned to a justice for disposition, or no show);
- indication of what, or if any, court procedure was avoided (that is, Morning Chambers application, Special Chambers application, or trial);
- marital status of the parties; and
- reason for DRO meeting (Notice of Motion was filed, referred by a judge, or parties wanted to have a DRO meeting)

In cases where a settlement has not been reached in the DRO meeting and the application referred to the Federal Child Support Guidelines, a Child Support Guidelines Report is also completed by the DRO. In these cases, the DRO refers the matter to a justice for disposition.

In cases where a settlement has been reached, a minutes of settlement form is completed. This form is recommended for unrepresented parties, but may also be used by parties who have counsel. The form provides for a “cooling off” period where parties have an opportunity to change their minds or to obtain independent legal advice.

A Participant Questionnaire is distributed by the DRO to the applicant and to the respondent at the end of the meeting. A Participating Lawyer Questionnaire is handed out to any lawyers attending the DRO meeting with their clients.

### DRO Commitment and Qualifications

There are currently 40 senior family law practitioners in Calgary who have agreed to volunteer for a half day every 3 to 4 weeks, to act as Dispute Resolution Officers. Most of these DROs have been with the project since it started and were either initially approached by someone to volunteer, or received a letter of invitation from Justice Colleen Kenny to become a DRO. When the project started, letters of invitation from Justice Kenny were sent out to about 200 to 250 senior family law lawyers in Calgary who, it was felt, most fully possessed the qualifications for the ideal DRO. Response to this letter of invitation was very positive and indicative of the level of support for the pilot project from the Calgary Family Bar.

Lawyers who are interested in volunteering as a DRO complete the Application for Dispute Resolution Officer form, and sign a Dispute Resolution Officer Declaration where they agree to “participate as a Dispute Resolution Officer for the Court of Queen’s Bench of Alberta, Judicial District of Calgary, for a one-year probationary period.” Initially, DROs were required to volunteer (that is, conduct DRO meetings) one day every 4 to 6 weeks. This requirement was recently changed to a half day every 3 or

4 weeks and additional volunteers were brought into the project in order to accommodate this new schedule.

A list of qualifications for a DRO has been developed by the Steering Committee. Importantly, the officer is a senior family law lawyer with extensive legal experience, usually 10 years or more, and knowledge of family law matters. The project's requirements for a DRO, as listed by the Steering Committee, include the following:

1. Be a member in good standing of the Law Society of Alberta.
2. Have practiced primarily in the field of family law for a minimum of 10 years.
3. Have the following attributes:
  - (a) Actual and perceived neutrality;
  - (b) A strong command of the legal issues involved;
  - (c) Strong interpersonal skills;
  - (d) The ability to listen and be non-judgmental;
  - (e) The ability to be patient, persistent and positive;
  - (f) The ability to comprehend the nature of the dispute and to develop innovative solutions; and
  - (g) Knowledge of the process that will be used to resolve the dispute if no agreement is reached, such as adjudication or arbitration.

Additionally, the following attributes may also be considered in selecting candidates to be DROs:

1. Past or current experience as an instructor in the Bar Admission Course;
2. Mediation training or experience;
3. Interest-based negotiation training or experience;
4. Papers or publications authored by the candidate in the area of family law;
5. Participation in continuing Legal Education programs in family law; and
6. Use of child support software.

Key informant interviews were conducted with 26 of the 29 DROs who had conducted at least one meeting as of December 31, 2002, and they were asked about their qualifications. The officers had an average of 20.5 years experience practicing family law, with a range of 10 to 44 years. Almost all DROs (92%; n=24) stated that they had training or experience in mediation, and 89% (n=23) indicated that they had training or experience in interest-based negotiation. A smaller percentage of DROs reported having published in the area of family law (42%; n=11). All officers stated that they had taken continuing legal education programs in family law, and almost all (92%; n=24) had experience with child support software such as ChildView.

There is no formal training program for DROs. Information sessions are held in order to present a description of the pilot project and the DRO meeting. Each volunteer is given a Manual for Dispute Resolution Officers in the Court of Queen's Bench of Alberta. The manual includes the following information:

- DRO qualifications;
- DRO duties (responsibilities);
- scheduling DRO meetings;
- DRO meeting room location and resources (e.g., computer with ChildView software); and
- copies of forms that DROs will need to use: DRO Acknowledgement; DRO Report; Child Support Guidelines Report; Minutes of Settlement; Participant Questionnaire; Participating Lawyer Questionnaire; Application for Dispute Resolution Officer; Dispute Resolution Officer Declaration; and Application for Exemption.

### DRO Roles and Responsibilities

The function of the DRO is not to replace counsel, but to provide assistance, information, and an independent viewpoint. The DRO has three functions:

1. To conduct a settlement conference before any child support application or child support variation application is heard in court (mandatory);
2. To conduct settlement conferences for the parties on ongoing matters at any stage of the proceeding (on consent); and
3. From time to time, to sort out contested motions referred by a judge.

With regards to child support applications, the DRO may assist parties by providing child support calculations (using ChildView software) in accordance with federal Child Support Guidelines. The DRO will work with parties to reach a settlement, if possible, or to resolve or narrow issues. DROs are prepared to provide both legal and non-legal information about possible outcomes and options to participants and their counsel. Besides providing information, the officer also checks that necessary procedures have been followed in order that the application to be heard is fully prepared for court (for example, that all financial disclosures are made), thus reducing time spent before the judge and preventing unnecessary delays. Clients and counsel may also choose to meet with the DRO in order to pre-try their case. Depending on their skills and experience, DROs may use a mediation approach in working with the parties during meetings.

## **2.2 Edmonton's Child Support Resolution Pilot Project**

### Administration

The CSR Pilot Project was initiated September 1, 2002, and is administered through the Court of Queen's Bench Family Law Information Centre in Edmonton. The project is supported by funding from the Department of Justice Canada, resources and personnel from Alberta Justice (Court of Queen's Bench), and volunteers from the Family Law Bar. The CSR project is managed by the Senior Program Coordinator and another staff lawyer in the Family Law Information Centre as part of their responsibilities at the Centre. They have largely developed and implemented the project. As well, they provide supervision and conduct CSR meetings. There is one full-time CSR clerk, and the other Family Law Information Centre clerks who work at the front desk also handle enquiries about the CSR project and schedule meetings as part of their job duties. Alberta Justice is involved in a number of other ways, such as provision of office space and supplies, CSR meeting rooms in the courthouse (where available), and computer and communication resources.

An important difference between the CSR Pilot Project and Calgary's DRO Pilot Project is that the majority of (and initially in the CSR project, all) CSR meetings are conducted by the two staff lawyers from the Family Law Information Centre. CSR officer volunteers were only brought into the program recently.

### Attendance

The CSR Pilot Project serves self-represented individuals who intend to file a court application related to child support. According to the Reports of the Child Support Resolution Officers (Total N=155; Missing Cases=12), the substantial majority of cases were for variation of an existing child support order (92%; n=132). A small number of cases were for initial child support orders (5%; n=7), termination of child support (2%; n=3), and child support arrears only (1%; n=1).

Both the self-represented applicant and the respondent are given notice that they must attend a CSR meeting before an applicant may file a court application. A Notice to Attend Child Support Resolution Meeting is completed by a Clerk of the Court. On this form, the type of family law application is reported: an initial child support order; a variation to ongoing child support payments; or termination of the payor's obligation to pay child support. The form also includes a statement that both parties must bring a completed and sworn financial statement to the CSR meeting. In most cases, the applicant's financial statement is attached to the Notice, and a blank financial statement is attached for the respondent to complete prior to the meeting. However, there are occasions when the CSR officer has assisted individuals with completing their financial statements in a CSR meeting. The CSR meeting is booked and the date and time are recorded on the Notice. There is also another version of the Notice to Attend Child Support Resolution Meeting for telephone conferences when one party resides outside of Edmonton or where the safety of one of the parties is a concern. An Affidavit of

Service form is also completed in order to ensure that the applicant serves the other party with the Notice.

By operating directly out of the Family Law Information Centre, all individuals who would be required to attend a CSR meeting are identified. Essentially, this is a screening process ensuring that only self-represented applicants are notified, and that applicants who have legal representation do not attend a CSR meeting. At this stage, the Family Law Information Centre clerk will also ask if a court order exists, and will advise the applicant to bring any court orders to the meeting.

Both the self-represented individual and the responding party are required to attend the CSR meeting. The respondent's lawyer is not required to attend; however, in some cases, lawyers do accompany their clients. This occurred in 14% (n=22) of the cases, according to the Reports of the Child Support Resolution Officers (Total N=155). Third parties such as a new spouse may attend if both parties agree. In 5% of cases (n=7), an "other" party also attended the meeting.

Under special circumstances, exemption from attending a CSR session may be granted. Exemptions may occur if there is a subrogated interest of ongoing child support payments or arrears owing to the Crown.

When parties fail to attend a scheduled CSR meeting, a notation of non-attendance is recorded in the court file. If the "no show" is the respondent, then the applicant may submit an application to court for a child support order. If, however, the "no show" is the applicant, then the applicant is required to book another CSR meeting and serve another Notice to Attend Child Support Resolution Meeting. According to the Reports of the Child Support Resolution Officers (Total N=155), attendance at scheduled CSR meetings by both the applicant and the respondent was very high. The applicant was present in 99% (n=153) of cases, and the respondent attended in 83% (n=129) of cases. In some cases, particularly in high conflict situations or where one of the parties lives out of town, one or both participants can attend the meeting by teleconference. This occurred for the applicant only in 2% (n=3), for the respondent only in 3% (n=5), and for both parties, in 9% (n=14) of cases.

### Scheduling, Booking and Conducting CSR Meetings

Scheduling of the CSR meetings is conducted by the CSR clerk or another clerk at the Family Law Information Centre. Once a CSR meeting is booked, parties are given at least two weeks notice of the meeting. A party who cannot attend the CSR meeting is requested to notify the CSR clerk and the other party at least two days before the time of the meeting.

The Family Law Information Centre staff lawyers currently conduct the majority of meetings. Meetings are scheduled to start at 9:00 a.m., with the last one scheduled at 2:00 p.m. In terms of length of the meeting, the Reports of the Child Support Resolution Officers (Total N=155; Missing Cases=6) indicated that two-thirds of the meetings lasted

more than 30 minutes (66%; n=99), 15% (n=23) lasted 20 to 30 minutes, 12% (n=18) lasted 10 to 20 minutes, and 6% (n=9) lasted 0 to 10 minutes. Of the meetings that lasted more than 30 minutes (Total N=99); Missing Cases=21), the majority (62%; n=48) were less than one hour, 28% (n=22) were between one and two hours, and 10% (n=8) were two hours or more.

The sessions are held in the Family Law Information Centre or booked in a designated room in the courthouse. As well, telephone conference meetings are used when parties are unable or unwilling to physically meet.

At the beginning of the CSR meeting, all parties are required to sign a Child Support Resolution Meeting Acknowledgement form. This form states that the CSR meeting is confidential, that the CSR officer may not be called as a witness, that the meeting is conducted on a “without prejudice” basis (i.e., what is said or done in the meeting cannot be used as evidence in court), and that there are no conflicts of interest involved with having this CSR officer conduct the meeting.

During the meeting, the CSR officer will work with the parties in order to try to reach a settlement. If this happens, the CSR officer will draft a Consent Variation Order, which is usually signed by both parties at the meeting or which may be taken away for further consideration by the parties. The CSR officer may also record the results of issues in minutes of settlement; however, if a resolution has been reached and the Consent Order is drafted, the CSR officer may not require the minutes of settlement.

At the conclusion of a meeting, the CSR officer completes a one-page report, called the Report of the Child Support Resolution Officer, in order to report on the results of the meeting and identify the next steps in relation to the case. The report includes the following information:

- type of application and applicable legislation;
- outcome of the meeting; and
- length of the CSR meeting.

According to the Reports of the Child Support Resolution Officers (Total N=155), in almost half of the CSR meetings, the outcome was a settlement (48%; n=74). Of these cases, the majority resulted in a desktop Consent Order that was signed by both parties at the meeting (61%; n=45). Another possible outcome is that a Consent Order is prepared, which the parties then take away and may sign at a later time. In 38% (n=28) of cases, an unsigned Consent Order was prepared. Minutes of settlement were drafted in only one case.

A Participant Questionnaire is distributed by the CSR officer to the applicant and to the respondent at the end of the meeting; in cases where parties used more than one CSR meeting, the questionnaire is completed after the final session.

The decision was made not to distribute a Participating Lawyer Questionnaire given that the CSR Pilot Project serves self-represented applicants. The only time counsel would attend a CSR meeting would be to accompany the respondent, in which case they would complete a Participant Questionnaire.

### CSR Officer Commitment and Qualifications

There are currently two CSR officers who are counsel in the Family Law Information Centre, and 36 volunteer CSR officers. The two counsel manage the CSR Pilot Project and conduct CSR meetings as part of their responsibilities in the Centre. The Senior Program Coordinator at the Centre also supervises the CSR clerk. The Coordinator spends about 25% of her time on the CSR project, and the other counsel spends about 15% of his time on the project.

Volunteer CSR officers were brought into the project beginning in November 2002. Approximately 50 senior family law lawyers were approached by the Edmonton judiciary about participating in the CSR project (by a letter of invitation signed by Justice Marguerite Trussler), and response from the group was positive. Volunteer CSR officers commit to one to two or more CSR meetings per month.

Key informant interviews were conducted with 11 of the 13 volunteer CSR officers who had completed at least one meeting as of December 31, 2002. These lawyers had an average of 16.2 years practising family law, ranging from 6 to 31 years. The majority of the volunteer CSRs had training or experience in mediation (82%; n=9), and 64% (n=7) had training or experience in interest-based negotiation. Just under half (46%; n=5) of the volunteer officers had published papers in family law, and all had completed continuing legal education programs in family law. Almost all of the volunteers (91%; n=10) were familiar with child support software such as ChildView.

A one-hour orientation session is conducted where the procedures for CSR officers are explained, and the various forms to be used are reviewed. Each volunteer is given a booklet, which includes the following information:

- general description about the project and CSR meetings;
- who must attend a CSR meeting; and
- copies of forms that CSR officers will need to use: Notice to Attend Child Support Resolution Meeting, Financial Statement, Child Support Resolution Meeting Acknowledgement; Consent Variation Order; Affidavit of Execution; Minutes of Settlement; Participant Questionnaire; and Report of Child Support Resolution Officer.

All volunteers interviewed indicated that the amount of training they received for the CSR project was adequate, and that the time commitment expected from volunteers was about right.

## CSR Officer Roles and Responsibilities

Primarily, CSR officers assist self-represented individuals by providing legal information and guidance, and working with them to try to reach a resolution in their case. The CSR meeting addresses only child support issues unless both parties agree to discuss other issues. CSR officers refer to the Child Support Guidelines in order to calculate support amounts. Additionally, they will assist participants with reporting financial information. According to CSR program personnel, many of the cases are straightforward and require adjustments based on the Guidelines. If parties reach a resolution, the CSR officer drafts up a Consent Order during the meeting that the parties may sign or take away if they wish more time before finalizing the agreement.



## **3.0 EVALUATION FINDINGS**

### **3.1 Needs Leading to the Development of the Projects**

This section presents findings related to the first research question outlined in Section 1.2.1: What needs, real or perceived, led to the development of the projects and what led to the development of different programs in the two cities?

There is a general perception among the legal community and the public that the judicial system is limited in how it can adequately and appropriately address family law disputes. The court process is long and often faced with costly delays. Litigation has an adversarial and competitive nature that can create more animosity between parties. Applicants and respondents in family law are unique in that often, as parents, they will be required to continue a relationship long after the court has settled their case.

In an initial proposal for the DRO Pilot Project submitted to Alberta Justice in January 1999, Mr. Lonny Balbi, a prominent Calgary family law lawyer, argued that the current system is not meeting the needs of its participants. For example, clients complain about “the delay in the legal process, the incredibly high cost, and the problems which are never seemingly resolved in court.” Prior to implementation of the DRO Pilot Project, there were often delays early in the proceedings because one party was not prepared or information was not available, which resulted in adjournments. Even after parties were ready to proceed to court, a Morning Chambers application of less than 20 minutes duration was generally insufficient for the judge to hear evidence and make a decision. In these cases, a special Domestic Chambers application could be required, which resulted in even greater delay and costs.

Other needs identified by the key informants (DRO Steering Committee, CSR Program Managers, judges, and participating lawyers) include providing assistance and education for self-represented individuals, improving access to justice, reducing stress between the parties, and reducing litigation.

One way to address these needs involves providing alternative approaches to deal with legal disputes. These efforts represent not only a change in practice, but reflect an awareness and a changing attitude about the effects of the legal process, its impact on people’s lives and relationships, and its responsibilities in terms of respecting and providing opportunity for individuals to have more input and accountability in directing their lives as those of their children.

As noted by a number of key informants, family law lawyers have found that use of early intervention approaches can be effective in family law. The use of dispute resolution services in the early stages of separation can assist couples in reaching a settlement. One result of early intervention is a decreased likelihood of going to court. If a trial is needed, then often less court time is required because the issues have been

clarified or narrowed, and the required paperwork (e.g., financial statements) has been completed.

The Dispute Resolution Officer Pilot Project in Calgary and the Child Support Resolution Pilot Project in Edmonton represent both alternative approaches and early intervention strategies. They are efforts to enhance how the legal system serves individuals and families. The development of the different projects in Calgary and Edmonton partially reflects differences in legal communities. The Calgary Family Law Bar has had a history of readily seeing the need for, and accepting the use of, alternative dispute resolution processes in handling family law disputes. The Edmonton Bar has historically been more conservative in its approach to dispute resolution. The opinion of some of the key informants is that the Calgary Family Law Bar sees more of a role for alternative dispute resolution processes in handling family law disputes than is the case among family law lawyers in Edmonton.

In Calgary, the initial proposal for the DRO Pilot Project submitted to Alberta Justice in 1999 requested a budget for the first year of approximately \$100,000. Alberta Justice did not have the resources to fund the project at that time, and a revised proposal that eliminated honoraria for the DROs was submitted two years later. With the involvement of the Queen's Bench judiciary in Calgary, the project was piloted in December 2001. Alberta Justice provided office space, computer hardware and software, and overall administration for the project. In addition, Alberta Justice applied to the Department of Justice Canada for funding to replace a part-time data entry person with a full-time clerk who would provide administrative support to the project, and would be responsible for booking DRO meetings.

The project was initiated by the Family Bar in Calgary, and continues to be strongly supported by the involvement and volunteerism of Calgary family law lawyers. A DRO Steering Committee was established at the outset to organize and lead the project's development, and continues to be actively involved with the project. This committee includes four senior family law lawyers, a justice of the Court of Queen's Bench, and a court administrator who is also a lawyer.

The establishment of the DRO project was noted by the Court of Queen's Bench judiciary in Edmonton, and Justice Marguerite Trussler felt that a similar program should be implemented in Edmonton. The Family Bar in Edmonton was approached to develop the project, but was not initially supportive. The Family Law Information Centre was then asked by the Queen's Bench judiciary to develop the project. The decision was made to limit the scope of the project by only offering it to self-represented applicants dealing with child support issues. The intention initially was to have all CSR meetings conducted by staff counsel at the Family Law Information Centre. However, as demand increased, the judiciary requested and received support from the Family Bar in order that additional CSR meetings could be conducted. Lawyers agreed to participate voluntarily in the project on the condition that it remain available only to self-represented applicants. The majority of CSR meetings are conducted by the lawyers from the Family Law Information Centre.

The CSR Officer Pilot Project adopted similar procedures and forms used in the DRO project. There is no formal Steering Committee; rather, the CSR project is directed by a Queen's Bench justice and Family Law Information Centre counsel.

### **3.2 Suitability of Processes and Procedures Adopted for the Programs**

This section presents findings related to the following research question: Are the various processes and procedures adopted for these programs well suited (logically and procedurally) to meeting the real and perceived needs behind the programs?

#### **3.2.1 Calgary's Dispute Resolution Officer Pilot Project**

In the interviews, key informants were read the statement, "The primary goal of the DRO project is to assist parents with settling family law disputes before reaching court, thus saving court time and expenses." Key informants were then asked how much they agreed or disagreed that the project met this goal. Of 37 key informants (DROs, judges, and participating lawyers), the vast majority agreed that the project met this goal; 20 strongly agreed, 13 agreed, 2 disagreed, 1 strongly disagreed, and 1 didn't know. The key informants who disagreed that the project meets this goal felt that court resources were not saved, i.e., that court time was being reallocated to more complicated issues, and because a court application is still filed, the parties remain engaged in the court process.

A DRO meeting is currently mandatory for parties bringing any application dealing with child support. Of 39 key informants who were asked if they agreed with this regulation, 30 agreed that the project should be mandatory for parties with child support cases; 6 disagreed, and 3 stated they did not know. Of the six respondents who disagreed that the project should be mandatory, one thought that mediation should be made mandatory for these parties, one stated that lawyers should be given the choice about using DRO services, and one thought that the project cannot address more complex child support cases.

Parties may also attend a DRO meeting to deal with other family law issues by consent, or upon direction from a judge. With regards to this regulation, 26 of the 39 respondents agreed that the DRO meeting should be optional for parties with other family law issues; 12 disagreed and 1 respondent did not know. The majority of comments made by respondents who disagreed with the regulation were that the project should be mandatory for other family law issues, such as custody and access, and not only child support; five of the respondents felt that attending a DRO meeting should be mandatory for all family law issues.

There is no formal training session offered in the DRO project; rather, officers attend an information session and are given a manual that contains a brief description of procedures and samples of forms. Of the 26 DROs interviewed, 17 thought the

training was adequate, 6 thought it was inadequate, and 3 did not respond. Many of the officers (n=22) noted that a formal training session is not needed because the project draws volunteers from the community of senior family law lawyers who have some level of mediation-related experience. Three officers mentioned that the DRO clerk distributes a newsletter to DROs and that this is very helpful and informative. The point was also made there is an advantage to not providing training in order that individual styles or approaches of the volunteers would be respected. Comments from eight respondents who made suggestions on how to improve the information/training session included providing the following:

- information on experiences of DROs who have conducted meetings;
- an opportunity to observe a DRO meeting, or role playing;
- a training videotape;
- a more formal training session for new recruits who do not have as many years of family law experience as the first group of DRO volunteers;
- some level of training in dealing with domestic violence cases; and
- a refresher session periodically.

The DRO clerk collects schedules from the DROs and sets up the DRO meeting roster and handles administration of the DRO meetings. The scheduling procedures were found to be convenient by all of the 26 DROs and two officers specifically attributed this success to the DRO clerk. Five DROs remarked on occasions when one or both parties and/or their lawyers did not show up and failed to notify the clerk or the DRO that they are not attending. These respondents were unable to offer any suggestions as to how this problem might be addressed.

The one-hour time period scheduled for each DRO meeting was problematic for many of the key informants interviewed. Of 34 key informants (DROs, participating lawyers, and the DRO clerk) who were asked if one hour was enough time to conduct a DRO meeting, 18 indicated it was sufficient, 15 indicated it was insufficient, and 1 did not know. A number of officers stated that a one-hour meeting was usually sufficient to deal with one or two issues that were not complicated. A time period of 1.5 hours was suggested by 6 of the 34 key informants. Two DROs suggested scheduling meetings with varying time periods, for example 1.5 hours in the morning and 1 hour meetings in the afternoon.

Some clients also expressed concern about the one-hour time limit for DRO meetings. In unsolicited comments on the client exit surveys, 49 clients stated that they needed more time, and 31 reported that their meeting took longer than one hour.

Issues of safety were also discussed in the interviews and DROs were asked if they or the participants ever had concerns about their safety in a meeting. Of the 26 DROs, only one indicated they felt unsafe in one meeting. Four DROs stated that they had experienced occasions when one of the parties had concerns about safety; however, the meetings were conducted without incident. For one meeting, the client

explained that a restraining order had been placed on the other party. The meeting was held, but the officer told the client they could sit close to the door and leave at any time. DROs felt that the meeting room is a safe place and that they had the option to cancel meetings if they felt it necessary. As well, it should be noted that there is a panic button in the DRO meeting room.

In the expanded client exit survey (Total N=81; Missing Cases=2), clients were asked if they had any safety concerns about attending the meeting. Eleven clients (14%) said that they did have safety concerns about attending the meeting. However, several of these indicated that they felt safe during the meeting because the lawyers were present.

The majority of DRO meetings are conducted in person, however, 12 of the 26 DROs interviewed mentioned they had conducted at least one meeting by telephone (usually because a participant lived out of town). Three of the DROs noted that they preferred not to hold telephone conferences, and the face-to-face meetings were more effective and productive.

DROs were asked if they felt that the outcome of a DRO meeting was impacted by the attendance of a participant's lawyer, or by the attendance by a third party (such as a new spouse). All but one of the 26 DROs felt that the presence of a participant's lawyer would impact the meeting, and all of the DROs indicated that a third party would affect the meeting. Even though all of the DROs had positive as well as negative experiences with participating lawyers in DRO meetings, they felt that the participant's lawyer could play a positive role, and six of the officers commented that lawyers should attend in order to provide legal advice to their clients and to reach settlement at the meeting. The point was also made that the DRO meeting serves to bring lawyers together to discuss their clients' issues, which may not happen otherwise. DROs were sensitive to the dynamics of the meetings where a self-represented party may be forced to communicate with the other party and their counsel, or where the other party does not attend at all and one or more lawyers attend in their place. As well, the presence of a third party can be disruptive. DROs were less likely to feel that third parties (usually a participant's new spouse) had a positive role to play in DRO meetings. Of the 26 officers, 12 discourage participants from bringing people other than their lawyers to the meeting. Only two DROs preferred to have participants include new spouses because they regarded these individuals as significant decision-makers who would be instrumental in settling issues in the meeting.

Suggestions from seven key informants regarding resources and meeting rooms were offered. As mentioned above, many DROs felt that one hour is often insufficient for a DRO meeting. One key informant suggested having two meeting rooms so that parties may continue discussion if needed. Interestingly, another key informant felt that using a round table (the DRO meeting room currently has a rectangular table) would facilitate a more mediation-style approach. In order to make meetings more efficient, four respondents suggested using pre-DRO meeting information sheets. These would assist DROs who are not able to prepare for a DRO meeting by reading files related to

the case (because the files could not be released due to improper storage facilities that posed a health hazard or because they did not have the time to obtain and read the files). One result of this is that time is taken up in the DRO meeting to obtain background information for the case, rather than to discuss issues. The four DROs said that it would be helpful if DROs received, from participants' lawyers, a summary of their client's case and an outline of their position. Additionally, one DRO thought that an information sheet for participants and their lawyers, outlining what to expect from a DRO meeting, the purpose of the meeting and proper conduct, would provide for consistency in DRO services as well as contribute to more effective discussions in the meeting.

### 3.2.2 Edmonton's Child Support Resolution Pilot Project

In the interviews, key informants (CSR officers, judges, and participating lawyers) were read the statement, "The primary goal of the CSR program is to assist self-represented applicants settle their cases involving child support and arrears before reaching court, thus saving court time and expenses." Key informants were then asked how much they agreed or disagreed that the project met this goal. All of the 18 key informants agreed or strongly agreed that the project meets this goal.

A CSR meeting is currently mandatory for a self-represented applicant whose case involves child support. When key informants were asked if they agreed with this regulation, almost all (17 of the 18 respondents) supported it.

A one-hour orientation session is held that reviews procedures and forms which are used by CSR officers. A booklet containing a brief description of procedures and samples of forms is distributed. All 13 of the CSR officers who were interviewed thought this session was adequate. The point was made by five officers that a formal training session is not needed because the officers already have considerable experience in family law; additionally, two of the respondents also said that having mediation experience was helpful. A few suggestions were offered on how the orientation session might be improved. One respondent thought that it would be helpful to include a demonstration, or role playing, in order that new officers have a clearer picture of what CSR meetings involve. This would address a comment made by another officer that new recruits needed more direction on what was expected of them. Two respondents felt that a longer orientation session should be conducted.

The CSR clerk at the Family Law Information Centre schedules the CSR meetings between the officer and the parties. All 13 CSR officers interviewed found the scheduling procedures to be convenient. One officer felt that it would be helpful to have a way to confirm that participants will be attending the scheduled meeting.

Two participating lawyers and two clerks, in addition to the 13 CSR officers, were asked if one hour was enough time to conduct a CSR meeting. Nine of the 17 key informants thought that one hour was not sufficient. Two of the officers suggested that a one-hour meeting was insufficient time to deal with more than one issue. Officers also

mentioned needing more meeting time when issues were more complex. Four officers suggested that 1.5 hour meetings would be more appropriate.

Issues of safety were also discussed in the interviews and CSR officers were asked if they or the participants ever had concerns about their safety in a meeting. All 13 officers stated they have never had concerns about their own safety in conducting a CSR meeting; however, two officers mentioned that there were times when participant safety was a concern. As well, parties sometimes became upset and volatile. Both officers noted that there is a panic button in the room. One of the officers noted that the meeting room in the Law Courts building was fairly isolated and questioned whether security personnel would be able to respond quickly if needed. Two officers indicated that there had been occasions when participants expressed concerns related to safety. The officers addressed the concern by conducting the meeting using two rooms (one for each party).

Six of the 13 CSR officers indicated they had conducted CSR meetings by telephone. In all of these cases one or both parties lived out of town. Four officers who have never conducted a CSR telephone meeting stated that they would prefer face-to-face meetings.

CSR officers were asked if they felt that the outcome of a CSR meeting was impacted by the attendance of the respondent's lawyer, or by the attendance of a third party (such as a new spouse). Of the 13 officers, 11 said that the presence of a lawyer did affect the outcome of a meeting, and 12 said that the presence of a third party would have some impact. Six officers commented that the respondent's lawyer could play a positive role by clarifying or supplying information to the client as well as the officer, while three officers indicated that the meeting would be more effective without the lawyer's presence because this would disrupt communication between the parties. Six CSR officers thought that third parties had a negative impact on the meetings, and four thought that the impact could be positive or negative. In commenting about third parties attending the CSR meeting, six officers described how new spouses could play a positive role in the meeting by, for example, providing additional information and supporting a resolution. Two officers strongly discouraged third parties from attending.

### **3.3 Processes in One Program that Might Benefit the Other**

The following research question is addressed in this section: Are there processes in place in Edmonton that would benefit the Calgary program, and vice versa?

All of the key informants (except the officers) were asked directly whether there were processes in place in Edmonton that would benefit the Calgary program, and vice versa. Many of the key informants stated that they did not know enough about the pilot project in the other city to be able to comment. A few respondents stated that they were not even aware that there was a similar project being piloted in the other city. Twelve

comments were received from 33 key informants. The suggestions focussed on whom the project should serve, what family law issues should be addressed besides child support, and how administration and procedures could be improved. The most common suggestion was that the CSR project should be expanded to be more similar to the DRO project. For example, some respondents suggested that the CSR project should be available to applicants with legal representation, and other respondents said that the CSR project should deal with other family law issues besides child support.

The CSR officers, judges and participating lawyers were specifically asked whether they thought the CSR project should be available to applicants with lawyers, and 10 of the 18 said yes. Three CSR officers added the caution that there would probably be less volunteer support to conduct the CSR meetings if this occurred. The point was also made that CSR meetings would benefit participants' lawyers because it is often a lack of effective communication between parties' lawyers rather than clients that prevents the case from reaching a resolution outside the courtroom.

The CSR Pilot Project currently deals with child support issues only. The CSR officers, judges and participating lawyers were specifically asked if the program should be expanded to include other family law matters. Of the 18 key informants, 10 agreed that the project should be expanded to include other family law matters; 7 disagreed, and 1 did not know if more issues should be addressed. Some key informants who disagreed commented that child support applications were fairly straightforward, involving calculations as per the federal Child Support Guidelines, whereas other issues were more complex and not as easily resolved.

In Calgary, applicants file a Notice of Motion form for mandatory DRO appointments, at which time a DRO meeting (if needed) and a court date are booked. If a case is settled in the DRO meeting, then the court date is not required. In Edmonton, self-represented applicants are identified when they first approach the Family Law Information Centre and the Centre's clerks will notify the applicants that they are required to attend a CSR meeting. The extra step of having to file court documents prior to the meeting, which is the case in Calgary, is not necessary in Edmonton. Two key informants thought Edmonton's procedure was preferable because it is simpler. One key informant suggested that a one-page form could be used in the DRO project where parties would agree to bring financial information to the meeting, and that this would replace the need to file a court application before the DRO meeting.

### **3.4 Impact of the DRO Project on the Court's Caseload and Time**

This section presents findings related to the following research question: In Calgary, has the DRO project reduced the court's caseload and time spent on these kinds of cases?

All but one of the 39 key informants who were asked this question (DROs, judges, participating lawyers, and court personnel) agreed that the DRO Pilot Project

reduced the court's caseload and time spent on family law cases. The one respondent who disagreed, a DRO participant's lawyer, felt that total court time increased when a case was not settled in a DRO meeting because of the time taken to attend the meeting prior to going to court. In the DRO interviews, all of the 26 officers felt that courts benefited from the project; however, three officers pointed out that the reduction in court caseload was the direct result of increased workload on DRO volunteers.

Judges' comments regarding the impact of the DRO Pilot Project on what they are experiencing in their courtrooms also indicates a reduction in court caseload (particularly in Morning Chambers when cases involving less complex issues are heard), both in terms of the numbers of cases and the time needed to deal with each case. One judge noted that more time could now be spent on the more complex cases because there were fewer hearings scheduled. Thus, rather than reduce total court time there is, possibly, a reallocation of judge's time to the more complex court cases.

Lawyers who attended DRO meetings also believed that the DRO project reduced court cases and time because they were experiencing a decline in the numbers of their own client caseloads that were required to proceed to court.

One measure of the success of the DRO Pilot Project is the extent to which it has decreased the number of applications scheduled into Family Law Chambers or Domestic Special Court. In 2001, there were 17,034 court applications, compared to 15,894 in 2002. This represents a decrease of 7%. While this finding suggests that the DRO program has reduced the court's caseload, it should be noted that this result is correlational, and therefore a cause and effect relationship cannot be assumed. Other factors that could not be assessed may have also affected court caseloads during this time period.

Another measure of the effectiveness of the DRO program is the amount of court time saved since the program came into effect. At the conclusion of a DRO meeting, the officer is asked to estimate the amount of court time saved (in hours) based on the average time that a particular court procedure would have taken if the issue had not been resolved. For example, if the DRO settled an issue that would normally be heard in Morning Chambers, then the court time saved is estimated to be .5 hours. If a trial is avoided, the court time saved is estimated to be 6 hours. Since the implementation of the program through February 21, 2003 (N=1,000 meetings), DROs have estimated that 1,004 hours, or approximately 143 seven-hour days, in court time have been saved.

### **3.5 Impact of the DRO Project on Clients Time and Costs**

The following research question is addressed in this section: In Calgary, has the DRO project saved clients (i.e., applicants and respondents) time and costs?

Of the 37 key informants (DROs, judges, and participating lawyers) who were asked whether the DRO Pilot Project saves clients time and costs related to legal

services, almost all (n=33) agreed that the project does save clients time and money. The four respondents who disagreed (three were DROs and one was a participant's lawyer) felt that clients do not necessarily save time or costs to the extent that they are required to attend the DRO meeting, and are required to cover their lawyer's fees for also attending the meeting. Three DROs commented that the DRO meeting provides a neutral setting for lawyers and clients to meet and discuss the case, thus increasing the chances of a resolution being reached. To this extent, clients save further costs for litigation. All judges interviewed indicated that the DRO project saves clients time and costs.

Clients were not asked directly if they thought the DRO meeting saved them time and costs because they would have no basis for making this judgment. However, some clients commented on this issue when asked if they had any other comments or suggestions about the project. Eight clients stated that the meeting saved them time, and nine clients commented that the meeting saved them money. Conversely, five clients commented that the meeting cost them money because they were required to attend but their case was not settled during the meeting and they would still have to go to court.

### **3.6 Satisfaction with the Projects**

This section presents findings related to the following research question: In Calgary and Edmonton, what are the levels of satisfaction with the projects for clients, judges, lawyers and the officers delivering the program?

#### **3.6.1 Calgary's Dispute Resolution Officer Pilot Project**

##### **Clients**

Clients were asked a number of questions regarding their satisfaction with the DRO Pilot Project. Clients were asked on exit surveys #1 and #2 (Total N=1,055) whether the DRO who conducted their meeting was reasonably informed and prepared for their case. Out of the 980 clients who responded to this question, 89% (n=879) said the DRO was reasonably informed and prepared for their case. All three versions of the client exit survey (Total N=1,136) asked participants if there was a delay in starting the meeting, and 83% (n=880; Missing Cases=75) said there was no delay. When asked if sufficient time was booked for their meeting, 80% (n=856; Missing Cases=67) said yes.

In the expanded exit questionnaires (Total N=81), clients were asked about their level of satisfaction with the Dispute Resolution Officer who conducted their meeting. A substantial majority of clients indicated that they were either very satisfied (42%; n=34) or somewhat satisfied (37%; n=30) with their officer. Only 9% (n=7) and 5% (n=4) indicated that they were somewhat dissatisfied or very dissatisfied, respectively, with their officer. Clients who were very dissatisfied were asked to explain why. One client said the officer did not know the background of the case, one said the officer made

things worse by going over issues that had previously been settled, and two said that the officer did not manage the meeting well.

When asked about their level of satisfaction with the outcome of their meeting, just over half of the survey respondents (Total N=81; Missing Cases=2) indicated that they were very satisfied (15%; n=12) or somewhat satisfied (38%; n=30). Less than one-quarter (22%; n=17) said that they were neither satisfied nor dissatisfied, and one-quarter expressed dissatisfaction (somewhat dissatisfied – 10%; n=8; very dissatisfied – 15%; n=12). When asked to explain why they were very dissatisfied with the outcome of their case, five clients said that it was a waste of time, three clients said that no settlement was reached, and two clients each said that the meeting made matters worse, that the resolution reached was not fair, and that it was a waste of money.

Clients were also asked if, based on their overall experience, they would use the Dispute Resolution Officer Program again, and almost all (96%; n=1,024) said that they would (Total N=1,136; Missing Cases=74). Further, 83% (n=67) of clients who completed the expanded survey (Total N=81) said that they would recommend the DRO program to someone in a similar position to theirs. Clients who indicated that they would not recommend the program to others were asked why not. Two clients each said that they would not recommend the program in abuse situations, that their case was too complex, and that they would suggest counselling or mediation without lawyers present. When asked if they thought the DRO program should be mandatory for all cases in which child support is an issue, over three-quarters (78%; n=60) said that it should be mandatory (Total N=81; Missing Cases=4).

### Judges and Participating Lawyers

Judges and participating lawyers were asked if they ever referred people to attend a DRO meeting. Almost all of the respondents (10 of 11) said they had recommended DRO meetings. Judges indicated that for child support cases, unless an exemption has been granted, parties must attend a DRO meeting and thus, if they have not attended, the judge is required to refer them to a meeting. Three of the four judges stated that they have also requested that parties see a DRO even when it was not mandatory, for example, in spousal support cases and when the party was self-represented. All of the participating lawyers also indicated that they have referred clients as well as other individuals to attend a DRO meeting. The lawyers felt that they and their clients would benefit from obtaining another opinion. Lawyers also referred self-represented individuals to use the DRO project.

Lawyers who attended a meeting with their clients were asked to complete a Participating Lawyer Questionnaire regarding their experience with the DRO Pilot Project (Total N=196). When asked if the DRO was reasonably informed and prepared for their case, a substantial majority of the lawyers said yes (89%; n=169; Missing Cases=5). A similar proportion of lawyers indicated there was no delay in beginning the meeting (91%; n=174; Missing Cases=4), and 81% (n=158) said that there was sufficient time booked for the meeting. Almost all participating lawyers stated that they

would use the Dispute Resolution Officer Pilot Project again (99%; n=193; Missing Cases=1).

Judges and participating lawyers were also asked if they agreed with the statement that the DRO project enhances the reputation of the legal profession in providing free services in conjunction with the current court system. Ten of the 11 respondents either agreed or strongly agreed with this statement. The one participating lawyer who disagreed stated that in cases where the meeting does not result in a settlement, clients still have to pay their own lawyers for attending.

### Dispute Resolution Officers

In interviews with 26 DROs, respondents were asked whether they felt that the required commitment of a half-day every 3 or 4 weeks to conduct DRO meetings was “too much,” “about right,” or “too little.” The majority (16 of 26) felt that this amount of time was about right; however, two thought it was too little, and eight felt it was too much. Nine of the DROs said they were experiencing burnout, and that it was becoming increasingly more difficult to justify the amount of time they were volunteering to conduct DRO meetings. The general feeling among these respondents was that this is a pilot project, and therefore, the heavy reliance on volunteerism would be only for the short term. A number of officers gave this as a reason for why they continue to stay involved in the project; that is, they believed that volunteer commitment would lessen as the project continued. Respondents also noted that already a few DROs have withdrawn or will soon be withdrawing from the project because of burnout, and they cautioned that the DRO project would not be able to continue to maintain the high level of support it has received from senior family law lawyers as volunteer officers.

DROs were asked whether they agreed that the DRO project enhances the reputation of the legal profession in providing free services in conjunction with the current court system. The majority of officers (n=16) either agreed or strongly agreed with this statement, six officers disagreed or strongly disagreed with the statement, and four officers did not provide a response. Interestingly, many officers made the comment that the public does not necessarily know that they are volunteers, and they stressed the need for more public education.

### 3.6.2 Edmonton’s Child Support Resolution Pilot Project

#### Clients

Clients were asked a number of questions regarding their satisfaction with the CSR Pilot Project. When asked whether there was a delay, most clients completing the two versions of the exit surveys (Total N=97) said there was no delay (90%; n=84; Missing Cases=4), and most (91%; n=87; Missing Cases=1) said that there was sufficient time booked for the meeting. The vast majority of clients (90%; n=85; Missing Cases=3) said they would use a Child Support Resolution Officer again if needed.

Clients were asked about their satisfaction with the Child Support Resolution Officer who met with them. In the Edmonton exit survey #1 (Total N=81), clients were asked if the officer was reasonably informed and prepared for their case. Almost all clients (94%; n=74; Missing Cases=2) said they were. In the expanded exit survey developed by CRILF for the evaluation, clients were asked to rate, overall, how satisfied they were with the officer who met with them. Of the 16 clients who completed the questionnaire, 10 (63%) said they were very satisfied, 5 (31%) said they were somewhat satisfied, and 1 (6%) said they were neither satisfied nor dissatisfied.

In the expanded survey, clients were also asked to rate their satisfaction with the outcome of their meeting. Over half of the 16 survey respondents said they were very satisfied (n=5; 31%) or somewhat satisfied (n=4; 25%), and one-fifth (n=3; 19%) said they were neither satisfied nor dissatisfied. One client (6%) reported being somewhat dissatisfied, and three clients (19%) said they were very dissatisfied. When asked to explain why they were very dissatisfied, one client commented that it was a waste of time, and two said there was no settlement.

Clients were asked on both versions of the exit survey (Total N=97) whether they would use the CSR program again. A substantial majority of respondents completing this question (90%; n=85; Missing Cases=3) stated that they would use the program again. The expanded survey asked clients if they knew someone in a similar position to theirs, would they recommend the Child Support Resolution Pilot Project to him/her. Of the 16 survey respondents, 15 (94%) said they would recommend the project. When asked whether they agreed that the Child Support Resolution project should be mandatory in child support cases where the applicant does not have a lawyer, 14 (88%) of the 16 respondents said yes.

Clients were given the opportunity in both versions of the exit surveys to offer general comments regarding the Child Support Resolution Pilot Project, and 51 comments were made. The vast majority of comments were very positive. Almost half (n=23; 45%) complimented the program and said it was very good or useful, almost one-fifth (n=9; 18%) complimented the officer, and one-tenth (n=5; 10%) offered their thanks for the program. In terms of suggestions for the program, one client commented that lawyers should not attend the meetings, one said that it was important for both parties to attend, one said that parties' willingness to settle should be considered prior to the meeting, and one said that the meeting was not appropriate in family violence cases.

### Judges and Participating Lawyers

One of the major frustrations judges have is that self-represented parties attend court without being sufficiently prepared or informed about legal matters. One of the major reasons for delaying a case from being settled is that parties do not have all the necessary information and documents for their case. One reason the CSR Pilot Project was set up was to address this issue. To this extent, judges' satisfaction with the project is related to the preparedness of self-represented applicants in court. Four of

the five judges and participating lawyers interviewed felt that parties were more informed about legal matters and proceedings after having attended a CSR meeting, and that cases were better prepared for court. One judge indicated he did not know if parties were better prepared because he had only been recently appointed and did not have a way to compare cases.

Judges and participating lawyers were also asked if they agreed with the statement that the CSR project enhances the reputation of the legal profession in providing free services in conjunction with the current court system. Four of the five respondents either agreed or strongly agreed with this statement. One judge who disagreed with the statement said that clients and judges do not know that the CSR officers are volunteering, therefore it does not enhance the profession's reputation.

### Child Support Resolution Officers

In interviews with 13 CSR officers, all felt that the commitment of one to two CSR meetings per month was "about right." Five of the officers, however, commented that they found this to be a fairly significant commitment of time to volunteer to the project.

CSR officers were asked whether they agreed that the CSR project enhances the reputation of the legal profession in providing free services in conjunction with the current court system. The majority of officers (n=10) either agreed or strongly agreed with this statement, two officers disagreed with the statement, and one did not know. A few CSR officers also made the comment that the public does not necessarily know that they are volunteers.

## **3.7 Case Resolutions and Outcomes for the DRO Project**

The following research questions are addressed in this section: In Calgary, does the program help resolve cases? For those cases where service is delivered, what are the case outcomes, and how many issues get settled in the DRO program?

At the conclusion of every meeting, the DRO completes a report that includes the issues discussed and the outcome by issue. Table 3 presents the issues discussed and their associated outcomes for 1,000 DRO meetings taking place between December 10, 2001 to February 21, 2003. On average, one and one-half issues were discussed per meeting. The most frequently discussed issue was child support, which was dealt with in 695 meetings. The DROs indicated that a settlement was reached in 53% of cases, and that the issues were narrowed in 30% of cases. Child support was not resolved in only 18% of cases. The two issues that are most frequently resolved are custody and access. Out of 133 cases dealing with child custody, 71% reached a settlement, and in 20% the issue was narrowed. Likewise, for access, in the 227 cases that dealt with this issue, 70% resulted in a settlement and in 21% the issue was narrowed. Spousal support was the least frequently resolved issue discussed. Out of 123 cases, only 37% reached a settlement and in 46% the issue was narrowed. Overall, out of 1,547 issues

discussed, 57% were settled, 29% resulted in a narrowing of issues, and in 14% of issues there was no progress made.

**Table 3**

**Outcome of Issues Discussed at Meeting as Reported by Dispute Resolution Officer**

Issue	Outcome							
	Settlement Reached		Issue Narrowed		No Progress		Total	
	n	%	n	%	n	%	n	%
Child support	368	52.9	205	29.5	122	17.6	695	100.0
Child support arrears	113	57.4	58	29.4	26	13.2	197	100.0
Custody	95	71.4	27	20.3	11	8.3	133	100.0
Access	159	70.0	48	21.2	20	8.8	227	100.0
Spousal support	45	36.6	57	46.3	21	17.1	123	100.0
Property division	51	50.0	42	41.2	9	8.8	102	100.0
Other	57	81.4	8	11.4	5	7.1	70	100.0
<b>Total issues</b>	<b>888</b>	<b>57.4</b>	<b>445</b>	<b>28.8</b>	<b>214</b>	<b>13.8</b>	<b>1,547</b>	<b>100.0</b>

Source of data: Dispute Resolution Officer Reports.

Total N = 1,000 meetings.

Participants were somewhat less likely to report that issues had been resolved than were the DROs. On Calgary exit surveys #1 and #2, clients were asked whether the meeting resulted in a settlement of the issues, a narrowing of the issues, or was no help at all (Total N=1,055; Missing Cases=90). It should be noted that this question did not ask about the outcome of each issue discussed at the meeting. Therefore it is unclear how this question would have been answered in cases where more than one issue was discussed and the outcomes of each issue were different. Overall, 40% (n=387) of clients stated that their meeting resulted in a settlement, 53% (n=511) said their meeting resulted in a narrowing of issues, and 7% (n=68) said that the meeting was no help at all.

On the expanded exit survey (Total N=81), clients were asked to indicate all of the issues that were discussed during their meeting, and for each issue to state the outcome of the discussion. Table 4 presents the issues discussed and their outcomes. The issue that was discussed most frequently, as well as most likely to be settled, was child support. Out of a total of 63 clients who reported that child support was discussed, 44% (n=28) stated that a settlement was reached, 32% (n=20) indicated that the issue was narrowed, and 24% (n=15) said that there was no progress. The next most likely issues to be resolved were access and custody. Over one-third of clients who stated that access was discussed reported that a settlement was reached (37%; n=11), 37% (n=11) said that the issue was narrowed, and 27% (n=8) said that no progress was made. Similarly, for custody, 31% (n=4) of survey respondents said that a settlement was reached on this issue, 39% (n=5) said that the issue was narrowed, and in 31% (n=4) of cases, no progress was made. According to clients, the issue least likely to be

settled was property division, with only 11% (n=2) reporting a settlement, 37% (n=7) indicating that the issue had been narrowed, and 53% (n=10) stating that no progress was made. Across all issues, approximately equal proportions of clients reported that the issues were settled (32%; n=67), narrowed (34%; n=70), and that no progress was made (34%; n=71).

**Table 4**

**Outcome of Issues Discussed at Dispute Resolution Officer Meeting as Reported by Client**

Issue	Outcome							
	Settlement Reached		Issue Narrowed		No Progress		Total	
	n	%	n	%	n	%	n	%
Child support	28	44.4	20	31.7	15	23.8	63	100.0
Child support arrears	9	25.0	17	47.2	10	27.8	36	100.0
Custody	4	30.8	5	38.5	4	30.8	13	100.0
Access	11	36.7	11	36.7	8	26.7	30	100.0
Spousal support	6	20.7	6	20.7	17	58.6	29	100.0
Property division	2	10.5	7	36.8	10	52.6	19	100.0
Other <sup>1</sup>	7	38.9	4	22.2	7	38.9	18	100.0
<b>Total issues</b>	<b>67</b>	<b>32.2</b>	<b>70</b>	<b>33.7</b>	<b>71</b>	<b>34.1</b>	<b>208</b>	<b>100.0</b>

Source of data: Expanded Dispute Resolution Officer Client Exit Survey.

Total N = 81 clients.

<sup>1</sup> "Other" includes a variety of issues such as: selling house, spousal arrears, pension and mobility.

Even in cases where a settlement is not reached and the parties must proceed to court, attendance at a DRO meeting may provide them with additional information and skills that will help them in court and assist the judge. Judges and participating lawyers were asked if they thought that parties are more informed or if cases seem to be better prepared where parties had attended a DRO meeting. Seven of the 11 respondents felt that parties are more informed, two of four judges stated they did not know, and two of seven lawyers indicated they thought that parties are not more informed. Three of the interviewees noted that self-represented parties, especially, are more informed about court procedures and how to prepare their cases after having attended a DRO meeting.

When judges and participating lawyers were asked if they thought that for cases that do go to court, the cases are better prepared (for example, that all necessary information has been collected), 7 of the 11 respondents felt that cases are better prepared after parties attended a DRO meeting. In particular, judges noted that self-represented parties are bringing all of the necessary information to court. Additionally, the judges felt that many of the issues to be settled in court had been narrowed in the DRO meeting. Whereas all four of the judges shared the opinion that cases are better prepared, the seven participating lawyers were less likely to agree; three agreed that cases were better prepared, three disagreed, and one did not know.

## 4.0 CONCLUSIONS

### 4.1 Summary of Project

The Dispute Resolution Officer (DRO) Pilot Project was started in Calgary on December 1 2001, and the Child Support Resolution (CSR) Pilot Project began in Edmonton on September 1, 2002. The two pilot projects are funded through the Child-centred Family Justice Fund of the Family, Children and Youth Section of the Department of Justice Canada, and are also supported by Alberta Justice and a large volunteer base of family law lawyers. Through the use of meetings between a DRO or CSR officer and the parties, both dispute resolution projects are intended to provide individuals with an opportunity to resolve legal disputes related to family matters without necessarily having to attend court, or requiring as little court time as possible.

The Canadian Research Institute for Law and the Family (CRILF) was awarded a contract by Alberta Justice to undertake a short-term evaluation study of Calgary's DRO Pilot Project and Edmonton's CSR Pilot Project. The evaluation was conducted from January 2, 2003 to March 31, 2003. Given that the Calgary program has been in operation longer than the Edmonton program and is larger in scope, the major focus of the evaluation was on the DRO program.

CRILF used a multi-component study to collect the information necessary to answer the research questions outlined in Section 1.2.1. The components consisted of key informant interviews, a review of existing program information, analyses of existing program data, and analyses of an expanded client exit survey.

### 4.2 Highlights of Findings

**Research Question #1: What needs, real or perceived, led to the development of the projects and what led to the development of different programs in the two cities?**

- There is a general perception among the legal community and the public that the judicial system is limited in how it can adequately and appropriately address family law disputes.
- Specific needs leading to the development of the DRO Pilot Project were identified as: reducing delays in the legal process; reducing the high cost of court proceedings; providing assistance and education for self-represented individuals; improving access to justice; reducing stress between parties; and reducing litigation.

- The DRO project was initiated and supported by the Family Law Bar and the Court of Queen's Bench in Calgary, while the CSR project was based on the DRO project and advocated for by the Court of Queen's Bench in Edmonton.
- The CSR project was implemented on a smaller scale than the DRO project because it did not initially have the support of the Family Law Bar. The decision was made to limit the project to cases involving child support issues where the applicant was self-represented.

**Research Question #2: Are the various processes and procedures adopted for these programs well suited (logically and procedurally) to meeting the real and perceived needs behind the programs?**

- The vast majority of the key informants agreed that the DRO project assisted parents with settling family law disputes before reaching court, thus saving court time and expenses.
- The majority of key informants agreed that the DRO meeting should be mandatory for parties bringing any application dealing with child support.
- Most of the DROs thought that the training/orientation session was adequate. Respondents generally felt that the level of expertise already possessed by senior family law volunteers made the need for more formal training unnecessary.
- Only about half of the key informants thought that a one-hour meeting time was sufficient for a DRO meeting.
- All of the key informants agreed that the CSR project assisted self-represented applicants settle their cases involving child support and arrears before reaching court, thus saving court time and expenses.
- Almost all agreed that the CSR meeting should be mandatory for self-represented applicants whose cases involved child support (interim or variation).
- All of the CSR officers felt that the training/orientation session was adequate.
- Over half of the informants thought that one hour was not sufficient time for a CSR meeting.
- Very few DROs, CSR officers, and clients reported safety concerns during the meetings. Both programs have procedures in place to deal with cases where safety is an issue, including panic buttons in the meeting rooms, and the ability to conduct meetings by teleconference.

**Research Question #3: Are there processes in place in Edmonton that would benefit the Calgary program, and vice versa?**

- Over half of the key informants thought the CSR project should be available to applicants with legal representation, as is the case with the DRO project.
- Over half of the key informants thought the CSR project should be expanded to include other family law matters, as is the case with the DRO project.
- Two program personnel thought that the DRO project should not require the initial step of filing a Notice of Motion by the applicant before a meeting, as is the case with the CSR project.

**Research Question #4: In Calgary, has the DRO project reduced the court's caseload and time spent on these kinds of cases?**

- Almost all key informants thought the project has reduced the court's caseload and court time.
- The number of court applications scheduled into Family Law Chambers or Domestic Special Court decreased 7% from 2001 to 2002.
- DROs estimate about 1,004 hours, or 143 seven-hour days, in court time have been saved since the project started.

**Research Question #5: In Calgary, has the DRO project saved clients (i.e., applicants and respondents) time and costs?**

- The large majority of key informants agreed that the project has saved clients time and costs related to legal services.
- Most clients who commented on this issue reported that the DRO project did save them time and/or money.

**Research Question #6: In Calgary and Edmonton, what are the levels of satisfaction with the projects for clients, judges, lawyers and the officers delivering the program?**

- Most clients were satisfied with their DRO. They reported that the DRO was reasonably informed and prepared, there were no delays in meeting with the DRO, and sufficient time was booked for the meeting.

- Just over half of the clients were satisfied with the outcome of their meeting.
- Almost all clients would use the DRO program again, and would recommend the program to someone else.
- Over three-quarters of clients agreed the DRO program should be mandatory for all child support cases.
- A large majority of participating lawyers reported that the DRO was reasonably informed and prepared, there were no delays in the meeting with the DRO, and sufficient time was booked for the meeting.
- Almost all participating lawyers would use the DRO program again.
- Almost all judges and participating lawyers have recommended DRO meetings to others.
- Just over half of DROs thought that the commitment of a half-day per 3 or 4 weeks was “about right.”
- Almost all clients reported that the CSR officer was reasonably informed and prepared, there were no delays in meeting with the officer, and sufficient time was booked for the meeting.
- Most clients were satisfied with their CSR officer, and just over half were satisfied with the outcome of their meeting.
- Almost all clients said they would use the CSR program again, and would recommend the program to someone else.
- The large majority agreed the CSR program should be mandatory in child support cases where the applicant does not have a lawyer.
- All CSR officers thought that the commitment of one to two meetings per month for CSR volunteers was “about right.”

**Research Question #7: In Calgary, does the program help resolve cases? For those cases where service is delivered, what are the case outcomes, and how many issues get settled in the DRO program?**

- Based on the DRO reports, of 1,547 issues discussed at 1,000 DRO meetings, over half were settled and over one-quarter were narrowed.

- The issues most likely to be resolved/narrowed during a DRO meeting were child support, custody, and access.

### **4.3 Discussion**

This evaluation study was conducted in a very short timeframe, which limited the amount and type of data that could be collected. Despite this, the findings of this evaluation indicate that both the Dispute Resolution Officer Pilot Project in Calgary and the Child Support Resolution Pilot Project in Edmonton are successful. The comments received from the key informants and the clients were on the whole very positive, and indicated that the meetings are effective and provide valuable services in assisting parties with family law disputes. Even when clients indicated that the meeting did not result in a settlement of their issues, they expressed satisfaction with the officers and over half expressed satisfaction with the outcome of the meeting. In family law disputes, the reality is that in many cases at least one party will be dissatisfied with the outcome. However, clients overwhelmingly indicated that they would use the programs again, and that they would recommend the programs to others in similar situations. Participating lawyers who attended DRO meetings with their clients were also very positive about the officers who conducted their meeting, and said that they would use the program again. While a few participants expressed safety concerns initially about attending the meeting, both programs have procedures in place to deal with these concerns, and all meetings were conducted without incident.

One measure of the effectiveness of the programs is the extent to which issues are settled or narrowed during a meeting. Data from DRO reports indicated that issues were settled or narrowed over 80% of the time, and a subset of clients who completed the expanded exit survey reported that issues were settled or narrowed two-thirds of the time.

The findings suggest that there has been a reduction in the number of cases going to court and a decrease in court time since establishment of the DRO project. The number of court applications scheduled into Family Law Chambers or Domestic Special Court in Calgary decreased 7% from 2001 to 2002. DROs estimate that a total of 1,004 hours of court time have been saved since the program began. Almost all key informants thought that the project has reduced the court's caseload and time.

In Edmonton, the demand for the CSR project has far exceeded initial estimates, as evidenced by the increased number of volunteer CSR officers. The program provides an easily accessible and simple process for self-represented applicants dealing with issues of child support. The level of demand for the program suggests that access to justice has been increased for individuals who otherwise might not have been able to afford legal assistance.

While the findings of this evaluation overall were very positive, some suggestions for improvements to the programs were offered. Several key informants and clients

commented that one-hour meetings were insufficient time to deal with the issues in dispute. In many cases, the time taken for a meeting exceeded the scheduled one-hour time period. In Calgary, several respondents noted that the file was not available, and therefore the DRO needed to spend the first part of the meeting obtaining background to the case that would have been contained in the file. DROs also stated that cases involving more than one issue required additional time. The programs may wish to consider scheduling meetings for one and one-half hour blocks.

A concern was expressed by some DROs that the time commitment expected of them was excessive, and some reported feelings of burnout. Some DROs felt that, in addition to not receiving any remuneration, they also did not receive any recognition for volunteering their services to the project. Comments were made that in many cases clients and their lawyers are not aware that DROs are volunteering their time. To enhance the long-term sustainability of the programs, means by which volunteer lawyers could be rewarded, such as with an honorarium, should be explored. In addition, publicizing the programs more widely to the legal community and public would enhance the recognition received by volunteer officers. To ensure that volunteers are not wasting their time when clients and/or their lawyers fail to appear for a scheduled meeting, the programs may wish to consider attempting to confirm attendance of all parties the day prior to the meeting.

Several key informants suggested that the CSR project in Edmonton could be expanded to make it more similar to Calgary's DRO project. Specifically, respondents suggested that the CSR project could be made available to applicants with legal representation, and that the scope of the project could be broadened to include family law issues in addition to child support. A few key informants and clients commented on administrative procedures. It was noted that it would be useful to have a draft Consent Order drawn up during a DRO meeting that could be signed at the meeting if a settlement were reached. In addition, the comment was made that the DRO project should not require the initial step of filing a Notice of Motion by the applicant before a meeting as is the case with the CSR project.

The focus of this evaluation was primarily on Calgary's DRO project, since it has been in existence longer than Edmonton's CSR project and thus has a larger client base. As the CSR project becomes more established, consideration should be given to conducting a larger-scale evaluation of the program. This is especially important given that the procedures used in Calgary are somewhat different than those used in Edmonton, and thus the results of this evaluation that are specific to the DRO project cannot be generalized to the CSR project. In addition, a longer-term evaluation study that could incorporate more objective outcome measures would be beneficial for both the Calgary and Edmonton programs. A comprehensive evaluation could examine questions such as:

- Are agreements reached in meetings implemented?
- Does the use of the DRO or CSR projects result in decreased conflict between the parties?
- Are outcomes different when a client's lawyer attends a meeting?
- Does the presence of a third party (such as a new spouse) affect the outcome of a meeting?
- What case characteristics are related to the likelihood of different issues being resolved? Are some issues more amenable to settlement than others?
- Are parties who attend DRO or CSR meetings better equipped to resolve future issues independently?
- Can any reductions in court caseload and time be directly attributed to the DRO/CRS meetings?

In order to address these research questions, a longitudinal evaluation that would follow clients over time would be required. In addition, the identification of an appropriate comparison group that did not attend DRO or CSR meetings would be necessary to examine whether the meetings lead to decreased court caseload and time.



**APPENDIX A**

**KEY INFORMANT INTERVIEW SCHEDULES**

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• Dispute Resolution Officers	A2
• (DRO Pilot Project) Judges and Family Law Lawyers Who Have Used the Program	A5
• CSR Program Managers	A7
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• (CSR Pilot Project) Judges and Family Law Lawyers Who Have Used the Program	A10
• (DRO/CSR) Program Clerks and Court Officials	A12
• (DRO/CSR) General Questions for Canadian Bar Association, Calgary Legal Guidance	A13



DISPUTE RESOLUTION OFFICER (DRO) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
DRO STEERING COMMITTEE MEMBERS

**Committee Member Name:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

**BACKGROUND INFORMATION**

1. What led to the development of the dispute resolution projects?  
[*Prompt:* needs or problems in the family justice system?]
2. What led to the development of different programs in Calgary and Edmonton?

**DRO PILOT PROJECT**

1. What are the responsibilities of the DRO Steering Committee?  
(For example, invite and select DROs, handle any complaints by program clients about DROs.)

**[Question 2 is also asked in DRO Officer and judge interview.]**

2. The DRO project is currently mandatory for parties bringing any application dealing with child support. Do you think it should be mandatory for these cases?  yes  no  
(a) Also, parties may attend to deal with other family law issues by consent, or upon direction from a judge. Do you agree that a DRO meeting should be optional for these cases?  yes  no
3. What do you envision the DRO project to look like in the next 5 years?  
[*Prompts:* increased DROs, increased staff, continue to include only senior-level family law lawyers to volunteer, more meeting rooms reserved.]  
(a) Do you see any changes being made to the DRO project?  
[*Prompts:* in how it is set up, in how it is run, e.g., selection of DROs and qualifications, scheduling process, DRO meetings, availability of services, mandatory vs. optional.]

**[Question 4 is also asked in Judge/Family Law Lawyer Interview.]**

4. Are there processes in place in Calgary that you think would benefit the Edmonton program?
5. Do you have any other comments about the DRO project?

DISPUTE RESOLUTION OFFICER (DRO) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
DISPUTE RESOLUTION OFFICERS

**DRO Name:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

**BACKGROUND EXPERIENCE AND EXPERIENCE AS A DRO**

1. How did you come to volunteer as a DRO?
2. How many years have you practiced family law?
3. Do you have any training or experience in:
  - (a) mediation?  yes  no  
- If yes, please describe.
  - (b) interest-based negotiation?  yes  no  
- If yes, please describe.
4. Do you have any papers or publications in the area of Family Law?  yes  no
5. Have you enrolled in any continuing Legal Education programs in Family Law?  
 yes  no
6. Are you familiar with using child support software such as ChildView?  yes  no
7. How long have you been volunteering as a DRO?
8. What kinds of roles or duties have you carried out as a DRO? (For example, provide legal information, check that everything is ready for court, help pre-try a case.)
9. What did you think of the DRO training you received?  adequate  not adequate  
(a) Are there any changes you would recommend?
10. Currently, DROs commit to about a half day every three (or four) weeks. Do you think this amount of time is:  too much  about right  too little

**DRO MEETINGS**

1. In your experience, is one hour sufficient time for a DRO meeting?  yes  no  
- If no, how much time do you think is required?
2. Is the scheduling process convenient for you?  yes  no  
- If no, please explain.

3. Has a participant ever expressed concerns about their safety when attending a meeting?  
 yes  no  
 - If yes, what was the concern related to and what did you do?
4. Do you ever conduct telephone meetings?  yes  no  
 (For example, if there is a restraining order or no contact order, if a participant expresses concern about their safety, or if a participant lives out of town.)
5. Have you ever felt unsafe conducting a DRO meeting?  yes  no  
 - If yes, what happened and what did you do?
6. Lawyers for the clients may attend the DRO meeting. Do you feel that this has any impact on the result of a DRO meeting?  yes  no  
 - If yes, please explain.
7. Other individuals (e.g., a new spouse) may attend the DRO meeting if both parties agree. Do you feel that the presence of a third party has any impact on the result of a DRO meeting?  yes  no  
 - If yes, please explain.

### **OVERALL COMMENTS ABOUT THE PROCESS**

1. Do you think that the DRO project has reduced the court's caseload and time spent on these kinds of cases?  yes  no - If no, please explain.
2. Do you think that the DRO project saves clients time and costs related to legal services?  
 yes  no - If no, please explain.
3. The DRO project is currently mandatory for parties bringing any application dealing with child support. Do you think it should be mandatory for these cases?  yes  no  
 (a) Also, parties may attend to deal with other family law issues by consent, or upon direction from a judge. Do you agree that a DRO meeting should be optional for these cases?  yes  no

### **OVERALL VIEWS OF THE DRO PROJECT**

1. The primary goal of the DRO project is to assist parents with settling family law disputes before reaching court, thus saving court time and expenses. How much do you agree or disagree that the DRO project meets this goal?  
 strongly agree  agree  disagree  strongly disagree
2. How much do you agree or disagree that the DRO project enhances the reputation of the legal profession in providing free services in conjunction with the current court system?  
 strongly agree  agree  disagree  strongly disagree

3. Are there any other comments or suggestions you would like to make about the DRO project? [For example, do you feel there are any benefits or drawbacks related to the DRO project?]

DISPUTE RESOLUTION OFFICER (DRO) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
JUDGES AND FAMILY LAW LAWYERS WHO HAVE USED THE PROGRAM

**Informant Name:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

1. Have you ever referred people to attend a DRO meeting?  
 yes  no

**[Q. 2: ASK LAWYERS ONLY]**

2. DRO meetings are typically scheduled for one hour. Do you think this is enough time?  
 yes  
 no. If no, how much time do you think is required?

3. Do you think that the DRO meetings have reduced the court's caseload and time spent on these kinds of cases?  
 yes. If yes, about how much time do you think is saved (in a week or a month)?  
 no

4. Do you think that the DRO project saves clients time and costs related to legal services?  
 yes  no

5. Do you think that for cases that do go to court, the parties are more informed about the legal matters and proceedings after having attended a DRO meeting?  
 yes  no

6. Do you think that for cases that do go to court, the cases are better prepared? (For example, all necessary information has been collected for court.)  
 yes  no

7. The DRO project is currently mandatory for parties bringing any application dealing with child support. Do you think it should be mandatory for these cases?  
 yes  no

(a) Also, parties may attend to deal with other family law issues by consent, or upon direction from a judge. Do you agree that a DRO meeting should be optional for these cases?  
 yes  no

8. The primary goal of the DRO project is to assist parents with settling family law disputes before reaching court, thus saving court time and expenses. How much do you agree or disagree that the DRO project meets this goal?  
 strongly agree  agree  disagree  strongly disagree

9. Are there any other needs that you feel the DRO project addresses?
10. How much do you agree or disagree that the DRO project enhances the reputation of the legal profession in providing free services in conjunction with the current court system?  
 strongly agree    agree    disagree    strongly disagree
11. Are there processes in place in Calgary that you think would benefit the Edmonton program (and vice versa)?
12. Are there any other comments or suggestions you would like to make about the DRO project?

CHILD SUPPORT RESOLUTION (CSR) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
CSR PROGRAM MANAGERS

Name: \_\_\_\_\_

Interview Date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

**BACKGROUND INFORMATION**

1. What led to the development of the dispute resolution projects?  
[*Prompt:* needs or problems in the family justice system?]
2. What led to the development of different programs in Calgary and Edmonton?

**CSR PILOT PROJECT**

**[Question 1 is also asked in CSR Officer Interview.]**

1. The Edmonton CSR program is currently mandatory for a self-represented applicant whose case involves child support (interim or variation). Do you think it should be mandatory for these cases?  
 yes       no

**[Question 2 is also asked in CSR Officer Interview.]**

2. Do you think that the CSR program should be available to applicants who have lawyers?  
 yes       no

**[Question 3 is also asked in CSR Officer Interview.]**

3. Do you think that the CSR program should be expanded to include other family law matters?  
 yes       no
4. What do you envision the CSR program to look like in the next 5 years?  
[*Prompt:* increased CSR Officers, increased staff, continue to include only senior-level family law lawyers to volunteer, special meeting rooms reserved?]  
(a) Do you see any changes being made to the CSR program?  
[*Prompt:* in how it is set up, in how it is run, e.g., selection of CSR Officers and qualifications, scheduling process, CSR meetings, availability of services, mandatory vs. optional.]

**[Question 5 is also asked in Judge/Family Law Lawyer Interview.]**

5. Are there processes in place in Edmonton that you think would benefit the Calgary program?
6. Do you have any other comments or suggestions you would like to make about the CSR project?

CHILD SUPPORT RESOLUTION (CSR) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
CHILD SUPPORT RESOLUTION OFFICERS

CSR Officer Name: \_\_\_\_\_

Interview Date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

**BACKGROUND EXPERIENCE AND EXPERIENCE AS A CSR OFFICER**

1. How did you come to volunteer as a CSR Officer?
2. How many years have you practiced family law?
3. Do you have any training or experience in:  
(a) mediation?  yes  no  
- If yes, please describe.  
(b) interest-based negotiation?  yes  no  
- If yes, please describe.
4. Do you have any papers or publications in the area of Family Law?  yes  no
5. Have you enrolled in any continuing Legal Education programs in Family Law?  
 yes  no
6. Are you familiar with using child support software such as ChildView?  yes  no
7. How long have you been volunteering as a CSR Officer?
8. What kinds of roles or duties have you carried out as a CSR Officer? (For example, draft consent orders, provide legal information, check that everything is ready for court.)
9. What did you think of the CSR Officer training you received?  adequate  not adequate  
(a) Are there any changes you would recommend?
10. Currently, CSR Officers commit to about one to two meetings per month. Do you think this amount of time is:  too much  about right  too little

**CSR MEETINGS**

1. In your experience, is one hour sufficient time for a CSR meeting?  yes  no  
- If no, how much time do you think is required?
2. Is the scheduling process convenient for you?  yes  no  
- If no, please explain.
3. Has a participant ever expressed concerns about their safety when attending a meeting?  
 yes  no  
- If yes, what was the concern related to and what did you do?

4. Do you ever conduct telephone meetings?  yes  no  
(For example, if there is a restraining order or no contact order, or if a participant expresses concern about their safety, or if a participant lives out of town?)
5. Have you ever felt unsafe conducting a CSR meeting?  yes  no  
- If yes, what happened and what did you do?
6. The lawyer for the respondent may attend the CSR meeting. Do you feel that this has any impact on the result of a CSR meeting?  yes  no  
- If yes, please explain.
7. Other individuals (e.g., a new spouse) may attend the CSR meeting if both parties agree. Do you feel that the presence of a third party has any impact on the result of a CSR meeting?  yes  no  
- If yes, please explain.

### **OVERALL COMMENTS ABOUT THE PROCESS**

1. Do you think that the CSR program has reduced the court's caseload and time spent on these kinds of cases?  yes  no  
- If no, please explain.
2. Do you think that the CSR program saves clients time and costs related to legal services?  
 yes  no  
- If no, please explain.
3. The CSR program is currently mandatory for a self-represented applicant whose case involves child support (interim or variation). Do you think it should be mandatory for these cases?  yes  no
4. Do you think that the CSR program should be available to applicants who have lawyers?  
 yes  no
5. Do you think that the CSR program should be expanded to include other family law matters?  yes  no

### **OVERALL VIEWS OF THE CSR PROGRAM**

1. The primary goal of the CSR program is to assist self-represented applicants settle their cases involving child support and arrears before reaching court, thus saving court time and expenses. How much do you agree or disagree that the CSR program meets this goal?  
 strongly agree  agree  disagree  strongly disagree
2. How much do you agree or disagree that the CSR program enhances the reputation of the legal profession in providing free services in conjunction with the current court system?  
 strongly agree  agree  disagree  strongly disagree
3. Are there any other comments or suggestions you would like to make about the CSR program? [For example, do you feel there are any benefits or drawbacks related to the CSR program?]

CHILD SUPPORT RESOLUTION (CSR) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
JUDGES AND FAMILY LAW LAWYERS WHO HAVE USED THE PROGRAM

**Informant Name:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

1. Have you ever referred people to attend a CSR meeting?  
 yes  no

**[Q. 2: ASK LAWYERS ONLY]**

2. CSR meetings are typically scheduled for one hour. Do you think this is enough time?  
 yes  
 no. If no, how much time do you think is required?

3. Do you think that the CSR meetings have reduced the court's caseload and time spent on these kinds of cases?  
 yes. If yes, about how much time do you think is saved (in a week or a month)?  
 no

4. Do you think that the CSR program saves clients time and costs related to legal services?  
 yes  no

5. Do you think that for cases that do go to court, the parties are more informed about the legal matters and proceedings after having attended a CSR meeting?  
 yes  no

6. Do you think that for cases that do go to court, the cases are better prepared? (For example, all necessary information has been collected for court.)  
 yes  no

7. The CSR program is currently mandatory for a self-represented applicant whose case involves child support (interim or variation). Do you think it should be mandatory for these cases?  
 yes  no

8. Do you think that the CSR program should be available to applicants who have lawyers?  
 yes  no

9. The CSR program currently deals only with child support-related matters. Do you think that it should be expanded to include other family law matters?  
 yes  no
10. The primary goal of the CSR program is to assist self-represented applicants settle their cases involving child support and arrears before reaching court, thus saving court time and expenses. How much do you agree or disagree that the CSR program meets this goal?  
 strongly agree  agree  disagree  strongly disagree
11. Are there any other needs that you feel the CSR program addresses?
12. How much do you agree or disagree that the CSR program enhances the reputation of the legal profession in providing free services in conjunction with the current court system?  
 strongly agree  agree  disagree  strongly disagree
13. Are there processes in place in Edmonton that you think would benefit the Calgary program (and vice versa)?
14. Are there any other comments or suggestions you would like to make about the CSR program?

DISPUTE RESOLUTION OFFICER (DRO) PILOT PROJECT AND  
CHILD SUPPORT RESOLUTION (CSR) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE FOR  
PROGRAM CLERKS AND COURT OFFICIALS

**Informant Name:** \_\_\_\_\_

**Informant Organization:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

1. Are you responsible for handling any general enquiries about the DRO/CSR program?  
 yes  
 no
2. Are you involved in scheduling the date and time of DRO/CSR meetings?  
 yes  
 no. If no, skip to Question 6.
3. Meetings are typically scheduled for one hour. Do you think this is enough time?  
 yes  
 no. If no, how much time do you think is required?
4. Do you find that clients and lawyers fully understand the procedures related to booking DRO/CSR meetings?  
 yes  
 no. If no, please explain.
5. What other kinds of concerns, if any, do clients and lawyers have at the time they are booking a meeting?
6. Are you involved in scheduling court time?  
 yes  
 no. If no, skip to Question 8.
7. Do you think that the DRO/CSR program has reduced the court's caseload and time spent on these kinds of cases?  
 yes  
 no
8. Are there processes in place in Edmonton that you think would benefit the Calgary program, and vice versa?
9. Are there any other comments or suggestions you would like to make about the DRO/CSR program?

DISPUTE RESOLUTION OFFICER (DRO) PILOT PROJECT AND  
CHILD SUPPORT RESOLUTION (CSR) PILOT PROJECT  
KEY INFORMANT INTERVIEW SCHEDULE  
GENERAL QUESTIONS FOR LAW SOCIETY, CANADIAN BAR ASSOCIATION,  
AND CALGARY LEGAL GUIDANCE

**Informant Name:** \_\_\_\_\_

**Informant Organization:** \_\_\_\_\_

**Interview Date:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_

1. Do you know about the Dispute Resolution Officer Project and/or Child Support Resolution Program?
- yes. If yes, how did you know about it?
- no

2. Have you ever recommended anyone to use a DRO/CSR meeting?
- yes
- no. If no, why not?

**[Question 3 also asked in DRO/CSR Officer interview.]**

3. The meetings are conducted by volunteer senior family law lawyers. How much do you agree or disagree that the DRO/CSR program enhances the reputation of the legal profession in providing free services in conjunction with the current court system?
- strongly agree  agree  disagree  strongly disagree
- If disagree/strongly disagree, please explain.
4. What needs, if any, do you feel the DRO/CSR program addresses?
5. Are there any ways you think the DRO/CSR program should be modified?
6. Are there processes in place in Calgary that you think would benefit the Edmonton program, and vice versa?

**APPENDIX B**  
**DRO/CSR OFFICER REPORTS**

	<b><u>Page</u></b>
• DRO Report	B1
• Report of Child Support Resolution Officer	B2





DATE:	IN THE COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL DISTRICT OF EDMONTON	ACTION #
CSRO:	<b>REPORT OF CHILD SUPPORT RESOLUTION OFFICER</b>	APPEARANCE #

**PRESENT:**  Applicant: \_\_\_\_\_ Solicitor: \_\_\_\_\_  
 Respondent: \_\_\_\_\_ Solicitor: \_\_\_\_\_  
 Other: \_\_\_\_\_

**TYPE OF APPLICATION:**

- Initial child support order
- Variation of ongoing child support
- Termination of child support obligation

**APPLICABLE LEGISLATION:**

- Divorce Act*
- Parentage & Maintenance Act*
- Maintenance Enforcement Act*

**OUTCOME:**

**Adjourned CSR Meeting:** Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM / PM  
 Adjourned *sine die*     Withdrawn     Abandoned

Reason for adjournment:

- By consent: \_\_\_\_\_
- Obtain counsel             Contact Legal Aid     PASS attendance
- Service on Respondent     Substitutional         *Ex-juris*

Request for adjournment made by:

- Personal appearance:     Applicant     Respondent     Solicitor
- Facsimile:                 Applicant     Respondent     Solicitor
- Telephone:                 Applicant     Respondent     Solicitor
- Direction of CSR Officer.

**Order / Minutes of Settlement agreed to between parties:**  
 Consent Order (desktop)     Minutes of Settlement     Consent Order (unsigned)

**Applicant directed to bring application in Family Law Chambers:**  
Issue for Court Appearance:  
 Contested application     *Ex-parte* application     Financial disclosure  
 Interim Order             Service on Respondent  
 Other: \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Length of Meeting:**

- 0-10 minutes     10-20 minutes     20-30 minutes     30+ minutes

\_\_\_\_\_  
SIGNATURE OF CSR OFFICER

## **APPENDIX C**

### **PARTICIPANT QUESTIONNAIRES**

	<u><b>Page</b></u>
• DRO Participant Questionnaire (Calgary client exit survey #1)	C1
• DRO Participant Questionnaire (Calgary client exit survey #2)	C2
• DRO Participant Questionnaire (expanded client exit survey developed for the evaluation study; also used as telephone interview guide)	C3
• DRO Participating Lawyer Questionnaire	C6
• CSR Participant Questionnaire (Edmonton client exit survey #1)	C7
• CSR Participant Questionnaire (expanded client exit survey developed for the evaluation study)	C8



Schedule 6

**DISPUTE RESOLUTION OFFICER PILOT PROJECT**

**PARTICIPANT QUESTIONNAIRE**

NAME OF DRO: \_\_\_\_\_

DATE: \_\_\_\_\_

**PLEASE CHECK THE APPROPRIATE RESPONSE:**

1. **DID THE APPEARANCE RESULT IN:**

- SETTLEMENT   
NARROWING OF ISSUES   
NO PURPOSE

2. **WAS THE DISPUTE RESOLUTION OFFICER REASONABLY INFORMED AND PREPARED FOR YOUR CASE:**

- YES   
NO

3. **WAS THERE A DELAY?**

- YES   
NO

4. **WAS THERE SUFFICIENT TIME BOOKED FOR YOUR APPEARANCE?**

- YES   
NO

5. **WOULD YOU USE A DISPUTE RESOLUTION OFFICER AGAIN IF NEEDED?**

- YES   
NO

6. **IF YOU HAVE ANY OTHER COMMENTS ABOUT THE DISPUTE RESOLUTION OFFICER PILOT PROJECT, PLEASE WRITE THEM BELOW.**

\_\_\_\_\_

**PLEASE COMPLETE THIS FORM, AND LEAVE IT WITH THE CLERK OF THE COURT OF QUEEN-S BENCH OF ALBERTA (ADRO PROJECT®) ON THE FIRST FLOOR OF THE COURTHOUSE. THANK YOU.**

**PARTICIPANT QUESTIONNAIRE**

NAME OF DRO: \_\_\_\_\_

DATE: \_\_\_\_\_

**PLEASE CHECK THE APPROPRIATE RESPONSE**

**DID YOU ATTEND THE DRO APPOINTMENT BECAUSE:**

- YOU FILED OR WERE SERVED WITH A NOTICE OF MOTION (MANDATORY)
- YOU AND THE OTHER PARTY AGREED TO COME TO A DRO (VOLUNTARY)
- YOU AND THE OTHER PARTY WERE REFERRED BY A JUDGE

**ARE YOU AND THE OTHER PARTY:**

- MARRIED/SEPARATED
- DIVORCED
- NEVER MARRIED / SEPARATED

**WHAT ISSUES WERE YOU HERE TO DISCUSS? (YOU MAY CHECK MORE THAN ONE BOX)**

- |  |  |
|--|--|
| <input type="checkbox"/> CHILD SUPPORT   | <input type="checkbox"/> CHILD SUPPORT ARREARS |
| <input type="checkbox"/> SPOUSAL SUPPORT | <input type="checkbox"/> CUSTODY               |
| <input type="checkbox"/> ACCESS          | <input type="checkbox"/> PROPERTY              |
| <input type="checkbox"/> OTHER _____     |  |

**DID THE DRO PROCESS RESULT IN:**

- SETTLEMENT OF THE ISSUES
- NARROWING OF ISSUES
- NO HELP AT ALL

**WAS THE DISPUTE RESOLUTION OFFICER REASONABLY INFORMED AND PREPARED FOR YOUR CASE?**

r YES    r NO

**WAS THERE A DELAY?**    r YES    r NO

**WAS THERE ENOUGH TIME BOOKED FOR YOUR APPEARANCE?**    r YES    r NO

**WOULD YOU USE A DISPUTE RESOLUTION OFFICER AGAIN IF NEEDED?**    r YES    r NO

**THE DISPUTE RESOLUTION OFFICER PROGRAM IS BEING EVALUATED TO SEE IF IT SHOULD BE CONTINUED. IF YOU WOULD BE WILLING TO ANSWER QUESTIONS ABOUT YOUR EXPERIENCE PLEASE PROVIDE YOUR NAME AND PHONE NUMBER BELOW.**

NAME: \_\_\_\_\_ DAYTIME PHONE NUMBER: \_\_\_\_\_

**IF YOU HAVE ANY OTHER COMMENTS ABOUT THE DISPUTE RESOLUTION OFFICER PILOT PROJECT, PLEASE WRITE THEM ON THE BACK OF THIS FORM.**

*Please complete this form, and leave it with the DRO Clerk on the first floor of the courthouse. Thank You.*

**DISPUTE RESOLUTION OFFICER PILOT PROJECT  
PARTICIPANT QUESTIONNAIRE**

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS SURVEY ABOUT YOUR VIEWS AND EXPERIENCES WITH USING THE DISPUTE RESOLUTION OFFICER PILOT PROJECT. PLEASE NOTE THAT THE INFORMATION YOU PROVIDE IN THIS QUESTIONNAIRE IS CONFIDENTIAL.

**Name of Dispute Resolution Officer:** \_\_\_\_\_

**Date of Dispute Resolution Officer Meeting:** \_\_\_\_\_

**1. How did you come to use the Dispute Resolution Officer program? (Please check all that apply.)**

- required to meet with the Dispute Resolution Officer because of my case
- suggested by my lawyer
- suggested by my ex-partner's lawyer
- referred by a judge
- other. Please describe: \_\_\_\_\_

**2. Did you have more than one meeting with the Dispute Resolution Officer (DRO)?**

- yes → **(a) How many meetings?** \_\_\_\_\_
- no **(b) Have you worked with the same DRO throughout your case?**  yes  no

**3. Who scheduled the Dispute Resolution Officer meeting?**

- me/my lawyer
- my ex-partner/ex-partner's lawyer

**4. How was the Dispute Resolution Officer (DRO) selected for your meeting?**

- the DRO was assigned to my case
- my lawyer chose the DRO
- my ex-partner's lawyer chose the DRO
- don't know

**5. Did your lawyer attend the Dispute Resolution Officer meeting with you?**

- yes
- no
- I do not have a lawyer

**6. A list of issues is shown below. Please check all of the issues that were discussed in your meeting with the Dispute Resolution Officer. Then, for each issue that you checked, please indicate the result of the discussion.**

		settlement/ agreement was reached	narrowing of issues	no progress was made
<input type="checkbox"/> child support	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child support arrears	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child custody	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child access	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> spousal support	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> property division	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other matter: Please specify: _____	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. **If one or more issues were not settled, what did the Dispute Resolution Officer suggest? (Please check all that apply.)**
- a further Dispute Resolution Officer meeting
  - an alternative dispute resolution process (e.g., mediation)
  - settle the matter informally between my ex-partner and me
  - go to court
  - other. Please specify: \_\_\_\_\_
8. **Overall, how satisfied are you with the Dispute Resolution Officer who met with you?**
- very satisfied
  - somewhat satisfied
  - neither satisfied nor dissatisfied
  - somewhat dissatisfied
  - very dissatisfied. Please explain: \_\_\_\_\_
9. **Overall, how satisfied are you with the outcome of your meeting?**
- very satisfied
  - somewhat satisfied
  - neither satisfied nor dissatisfied
  - somewhat dissatisfied
  - very dissatisfied. Please explain: \_\_\_\_\_
10. **Was there enough time booked for your meeting?**
- yes
  - no. Please explain: \_\_\_\_\_
11. **Was there a delay in meeting with the Dispute Resolution Officer?**
- yes
  - no. Please explain: \_\_\_\_\_
12. **Did you have any safety concerns about attending the meeting? (For example, were you concerned about meeting with your ex-partner?)**
- yes
  - no
13. **Thinking about your overall experience, would you use this Dispute Resolution Officer program again?**
- yes
  - no. Please explain: \_\_\_\_\_
14. **If you knew someone in a similar position to yours, would you recommend the Dispute Resolution Officer program to him/her?**
- yes
  - no. Please explain: \_\_\_\_\_
15. **Have you attended the Parenting After Separation Seminar in Alberta?**
- yes
  - no
16. **Have you used other types of dispute resolution or conflict resolution/mediation services?**
- yes → **(Please check all that apply.)**
    - arbitration
    - negotiation
    - other. Please specify: \_\_\_\_\_
    - judicial dispute resolution (JDR)
    - mediation
  - no

17. **The Dispute Resolution Officer program is mandatory for all cases in which child support is an issue. Do you agree that it should be mandatory?**  
 yes  
 no. Please explain: \_\_\_\_\_
18. **What is your gender?**  female  male
19. **What is your age?** \_\_\_\_\_ years
20. **Are you and the other party:**  married/separated  divorced  never married
21. **Please use this space to write any comments/suggestions you may have about the Dispute Resolution Officer Project.**

**Thank you for taking the time to complete this survey. Please place this in the blank envelope provided, and give this to the DRO Clerk on the 1<sup>st</sup> floor of the courthouse.**

**If you are willing to be contacted in case we have follow-up questions, please print your name and telephone number(s) clearly.**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

**PARTICIPATING LAWYER  
QUESTIONNAIRE**

NAME OF DRO: \_\_\_\_\_

DATE: \_\_\_\_\_

**PLEASE CHECK THE APPROPRIATE RESPONSE**

**DID YOUR CLIENT ATTEND THE DRO APPOINTMENT BECAUSE:**

- THEY FILED OR WERE SERVED WITH A NOTICE OF MOTION (MANDATORY)
- THE PARTIES AGREED TO ATTEND BY CONSENT
- THE PARTIES WERE REFERRED BY A JUDGE

**ARE THE PARTIES:**

- MARRIED/SEPARATED
- DIVORCED
- NEVER MARRIED / SEPARATED

**WHAT ISSUES WERE YOU HERE TO DISCUSS? (YOU MAY CHECK MORE THAN ONE BOX)**

- |  |  |
|--|--|
| <input type="checkbox"/> CHILD SUPPORT   | <input type="checkbox"/> CHILD SUPPORT ARREARS |
| <input type="checkbox"/> SPOUSAL SUPPORT | <input type="checkbox"/> CUSTODY               |
| <input type="checkbox"/> ACCESS          | <input type="checkbox"/> PROPERTY              |
| <input type="checkbox"/> OTHER _____     |  |

**DID THE DRO PROCESS RESULT IN:**

- SETTLEMENT OF THE ISSUES
- NARROWING OF ISSUES
- NO HELP AT ALL

**WAS THE DISPUTE RESOLUTION OFFICER REASONABLY INFORMED AND PREPARED FOR YOUR CASE?**

r YES    r NO

**WAS THERE A DELAY?**

r YES    r NO

**WAS THERE ENOUGH TIME BOOKED FOR YOUR APPEARANCE?**

r YES    r NO

**WOULD YOU USE A DISPUTE RESOLUTION OFFICER AGAIN IF NEEDED?**

r YES    r NO

**THE DISPUTE RESOLUTION OFFICER PROGRAM IS BEING EVALUATED TO SEE IF IT SHOULD BE CONTINUED. IF YOU WOULD BE WILLING TO ANSWER QUESTIONS ABOUT YOUR EXPERIENCE PLEASE PROVIDE YOUR NAME AND PHONE NUMBER BELOW.**

NAME: \_\_\_\_\_ DAYTIME PHONE NUMBER: \_\_\_\_\_

**IF YOU HAVE ANY OTHER COMMENTS ABOUT THE DISPUTE RESOLUTION OFFICER PILOT PROJECT OR THIS PARTICULAR DRO, PLEASE WRITE THEM ON THE BACK OF THIS FORM.**

*Please complete this form, and leave it with the DRO Clerk on the first floor of the courthouse. Thank You.*

CHILD SUPPORT RESOLUTION OFFICER PILOT PROJECT  
**PARTICIPANT QUESTIONNAIRE**

***Please check the appropriate response:***

1. Did the appearance result in:
- Settlement
  - Narrowing of issues
  - No purpose
2. Was the Child Support Resolution Officer reasonably informed and prepared for your case:
- Yes
  - No
3. Was there a delay?
- Yes
  - No
4. Was there sufficient time booked for your appearance?
- Yes
  - No

5. Would you use a Child Support Resolution Officer again if needed?

- Yes
- No

6. Would you be willing to provide further information and comments about this project, for evaluation purposes?

- Yes
- No

If "Yes", I may be contacted at:

\_\_\_\_\_

(Your Name)

\_\_\_\_\_

(Your Mailing Address)

\_\_\_\_\_

(Your Phone Number)

7. If you have any other comments about the Child Support Resolution Officer Pilot Project, please write them below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE COMPLETE THIS FORM, ENCLOSE IT IN THE ATTACHED ENVELOPE AND LEAVE IT WITH THE CLERK AT THE FAMILY LAW INFORMATION CENTRE ON THE MAIN FLOOR OF THE COURTHOUSE. THANK YOU.**

**CHILD SUPPORT RESOLUTION PILOT PROJECT  
PARTICIPANT QUESTIONNAIRE**

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS SURVEY ABOUT YOUR VIEWS AND EXPERIENCES WITH USING THE CHILD SUPPORT RESOLUTION PILOT PROJECT. PLEASE NOTE THAT THE INFORMATION YOU PROVIDE IN THIS QUESTIONNAIRE IS CONFIDENTIAL.

**Name of Child Support Resolution Officer:** \_\_\_\_\_

**Date of Child Support Resolution Meeting:** \_\_\_\_\_

**1. How did you hear about the Child Support Resolution Project? (Please check all that apply.)**

- from personnel at the Family Law Information Centre
- suggested by a friend/acquaintance
- suggested by a lawyer
- referred by a judge
- other. Please describe: \_\_\_\_\_

**2. Did you have more than one meeting with the Child Support Resolution Project officer?**

- yes → **(a) How many meetings?** \_\_\_\_\_
- no **(b) Have you worked with the same officer throughout your case?**  yes  no

**3. Who scheduled the Child Support Resolution Project meeting?**

- me  my ex-partner

**4. Please check all of the issues that were discussed in your meeting with the Child Support Resolution. Project officer. Then, for each issue that you checked, please indicate the result of the discussion.**

		settlement/ agreement was reached	narrowing of issues	no progress was made
<input type="checkbox"/> child support	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child support arrears	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> other matter: Please specify: _____	→ result was:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**5. If one or more issues were not settled, what did the Child Support Resolution Project officer suggest? (Please check all that apply.)**

- a further Child Support Resolution Project meeting
- settle the matter informally between my ex-partner and me
- go to a lawyer
- go to court
- other. Please specify: \_\_\_\_\_

6. **Overall, how satisfied are you with the Child Support Resolution officer who met with you?**
- very satisfied
  - somewhat satisfied
  - neither satisfied nor dissatisfied
  - somewhat dissatisfied
  - very dissatisfied. Please explain: \_\_\_\_\_
7. **Overall, how satisfied are you with the outcome of your meeting?**
- very satisfied
  - somewhat satisfied
  - neither satisfied nor dissatisfied
  - somewhat dissatisfied
  - very dissatisfied. Please explain: \_\_\_\_\_
8. **Was there enough time booked for your meeting?**
- yes
  - no. Please explain: \_\_\_\_\_
9. **Was there a delay in meeting with the Child Support Resolution Project officer?**
- yes. Please explain: \_\_\_\_\_
  - no
10. **Did you have any safety concerns about attending the meeting? (For example, were you concerned about meeting with your ex-partner?)**
- yes       no
11. **Thinking about your overall experience, would you use this Child Support Resolution Project again?**
- yes
  - no. Please explain: \_\_\_\_\_
12. **If you knew someone in a similar position to yours, would you recommend the Child Support Resolution Project to him/her?**
- yes
  - no. Please explain: \_\_\_\_\_
13. **Have you attended the Parenting After Separation Seminar in Alberta?**
- yes       no
14. **Have you used other types of dispute resolution or conflict resolution/mediation services?**
- yes → **(Please check all that apply.)**
    - arbitration       judicial dispute resolution (JDR)
    - negotiation       mediation
    - other. Please specify: \_\_\_\_\_
  - no

15. The Child Support Resolution Project is mandatory in child support cases where the applicant does not have a lawyer. Do you agree that it should be mandatory?

yes

no. Please explain: \_\_\_\_\_

16. What is your gender?  female  male

17. What is your age? \_\_\_\_\_ years

18. Are you and the other party:  married/separated  divorced  never married

19. Do you have any other comments/suggestions about the Child Support Resolution Project?

**Thank you for taking the time to complete this survey. Please place this in the blank envelope provided, and give this to a clerk at the Family Law Information Centre, main floor of the courthouse.**

**If you are willing to be contacted in case we have follow-up questions, please print your name and telephone number(s) clearly.**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_