

AGENDA FOR JUSTICE BACKGROUND

CANADIAN BAR ASSOCIATION ALBERTA BRANCH

REFORMING THE FAMILY JUSTICE SYSTEM

Background: The Reforming Family Justice System initiative was co-convened by Justice Andrea Moen, Court of Queen's Bench and Ms. Lynn Varty, Assistant Deputy Minister of Resolution and Court Administration Services, Justice and Solicitor General. The Law Society of Alberta joined as a co-convenor in early 2015.

Collaborators from all sectors of the justice system, coordinated by sector leads, have been involved in workshops where agreement has been reached on guiding principles, an outcome, and objectives for the initiative. Information will be shared on "collective action" and "developmental evaluation" in order to guide the approach to affect systemic change.

The Issue: CBA Alberta believes that the prevalence of legal problems and the severe and disruptive impact of unresolved legal problems have grown exponentially over the past two decades. [Reaching Equal Justice Report, Canadian Bar Association, pg. 1, <http://www.cba.org/CBA-Equal-Justice/Home>].

Why the CBA is Involved: Objects of CBA Alberta include promoting and improving the administration of justice and participating in law reform and public legal education. It benefits members of the CBA and the public to have an efficient and effective justice system. The CBA Alberta adopted recommendations of the Equal Justice Report through national CBA Council Resolutions: Improving Legal Capabilities; Effective Triage and Referral; Using Technology for Equal Justice; and Increasing Awareness of Legal Aid.

Desired Outcome: To promote, advocate and help achieve meaningful, accessible justice. This vision is fully articulated in the CBA's Reaching Equal Justice Report: an inclusive justice system requires that it be equally accessible to all, regardless of means, capacity or social situation, with the following commitments:

1. People – The system focuses on people's needs, not those of justice system professionals and institutions.
2. Participation – The system empowers people. It builds people's capacity to participate by managing their own matters and having a voice in the system as a whole and promoting equality.
3. Prevention – The system focuses attention and resources on preventing legal problems, not just on resolving them after they arise.
4. Paths to justice – A coherent system involves several options and a continuum of services to arrive at a just result. People get the help they need at the earliest opportunity, and find the most direct route to justice.
5. Personalized – Access to justice is tailored to the individual and the situation, responding holistically to both legal and related non-legal dimensions, so that access is meaningful and effective.
6. Practices are evidence-based –The system encourages equal justice by ensuring justice institutions are 'learning organizations', committed to evidence-based best practices and ongoing innovation.

