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Evaluation of the Family Limited Representation Contract

Evaluation Final Report

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Prepared for: Legal Aid BC

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Executive summary

Legal Aid BC (LABC) introduced the Family Limited Representation Contract (FLRC) on October 30, 2018, as a method to expand its family legal aid services to clients who are not eligible for a Family Standard Contract. The FLRC is intended to provide clients who may have some ability to self-represent with support, assistance, and coaching in the form of unbundled legal services from counsel so that they can move their family matter forward and potentially resolve some of their issues. The FLRC is also intended to provide clients with greater continuity of counsel than they would receive from family duty counsel.

LABC desired an evaluation of the FLRC to assess its implementation and early outcomes. The evaluation covered approximately three and a half years from the launch of the FLRC on October 30, 2018 to April 26, 2022. The evaluation included four main lines of evidence:

- a document and data review, including LABC data for family applications, FLRCs, and Family Standard Contracts;
- a mixed mode survey (primarily online with telephone follow up) of LABC clients who had received a FLRC;
- an online survey of counsel who had a Family Standard Contract or an FLRC; and
- interviews with counsel who had accepted a large number of FLRCs or who had accepted many Family Standard Contracts but had not accepted FLRCs.

The key findings of the evaluation are presented below.

Implementation

The evaluation found that the FLRC has been implemented and delivered as intended since its launch on October 30, 2018. This is also the case for the changes to the FLRC in September 2020, however, some of those changes are considered by counsel to have negatively impacted the FLRC. The key findings are highlighted below.

- **The FLRC is being increasingly used and used consistently across the legal aid regions.** Since its launch, the FLRC has constituted 14% of legal aid contracts and its use has increased during the time period when the financial eligibility was expanded to include individuals with a household income up to \$1,000 per month higher than for Family Standard Contracts. All legal aid regions have issued FLRCs at approximately the same proportion of their total contracts, reflecting a consistent use of the FLRC.
- **Counsel, clients, and courts generally understand the limited nature of the FLRC.** LABC has undertaken efforts to inform clients and manage expectations, including short documents to explain the contract and a sample retainer agreement that counsel can use. Most lawyers either used the LABC sample agreement or based their own retainer agreement on it. The clarity of the scope for clients could be improved in some areas — in particular, the limited length of the FLRC (currently 120 days) and the limited nature of court appearances in which counsel can appear. Counsel also noted that clients do not have the experience to understand the limited amount of tasks that can be completed within the available number of hours.

Recommendation 1: LABC should review its materials and other communications provided to clients for potential improvements. As one example, the materials could mention the service period of 120 days and include some context so that clients have a better understanding of what can be accomplished within the available hours.

- **The services provided to clients align with what is expected for the FLRC.** Based on both counsel and client survey results, the types of services most often provided under the FLRC include legal advice, assistance with documents (drafting, reviewing, filing), coaching, and assistance with negotiation.
- **The pandemic impacted service delivery but negative impacts were largely outweighed by positive ones.** Clients responded generally positively to the use of audio or videoconference as it was more convenient for them and many noted that they were more comfortable/less anxious than they would have been in person. Almost 40% of counsel noted that the pandemic impacts meant that it took longer to complete services, which could create issues with the 120 day service stop date.
- **The timeliness of issuing FLRCs has decreased since September 2020.** The lengthening time between a client's interview date and contract date is potentially caused by the pandemic, but the evaluation does not have evidence to support that conclusion. Given the increase in the time for issuing FLRCs issued after September 2020, which rose from an average of 22 days to 30 days, this is an area of potential improvement.

Recommendation 2: LABC should review its processes to determine whether the timeliness of issuing FLRCs can be improved to earlier levels.

- **The proportion of FLRCs receiving extensions has increased since September 2020, although counsel are concerned that the current approach to these requests is still too inflexible.** As the FLRC is intended to provide limited services, there is an expectation that counsel should not require extensions to the service stop date, which is reflected in the small proportion receiving extensions. There has been an increase in the proportion of FLRCs receiving an extension since September 2020 when the shorter 120-day service period took effect (from 2% to 6%). This indicates a greater willingness on the part of LABC to grant extension requests for FLRCs issued with the shorter service period. However, LABC does not track extension requests so the full picture that would include the number of extensions that were requested but denied is not available in the administrative data. In addition, counsel desire more flexibility on the part of LABC in handling extension requests as, on occasion, a short extension could improve client outcomes.

Recommendation 3: LABC should consider tracking extension requests in order to have a more complete understanding of the number of requests made.

Recommendation 4: LABC should review its processes to determine whether there can be more flexibility in its approach to extension requests when the benefits to the client are clearly demonstrated and the need for the extension is beyond the counsel and client control (e.g., court, other party).

- **FLRCs with a change of counsel have declined substantially since the September 2020, as intended.** As of September 25, 2020, the FLRC is no longer eligible for a change of counsel unless there are exceptional circumstances. This change has resulted in the intended decline of FLRCs with a change of counsel (from 9% to 4%).
- **Changes to the FLRC that increased its coverage and scope in September 2020 have been positively received while those that limit the hours or service period are considered too restrictive and to negatively impact quality of services and counsels' willingness to continue to accept FLRCs.** Most counsel agree with the increased scope of family law issues covered (i.e., no longer restricted to only financial security issues) and the inclusion of brief uncontested hearings as covered court appearances. Conversely, the majority of counsel disagree with the reduction in the available hours and the service period (from service start date to service stop date). Counsel considered the number of hours to be insufficient to adequately assist clients and the allocation restrictions (up to eight hours preparation time with up to three hours for court attendance) to be too inflexible. The 120 stop date period was considered too short and not to reflect the reality of the family justice system timelines. According to counsel, the coverage changes have negatively impacted their willingness to accept FLRCs. Clients also considered the limited number of hours to be their least favourite aspect of the FLRC service, noting that it was not enough time to enable them to resolve their matter or move it closer to resolution.

Recommendation 5: LABC should consider changes to the FLRC that will allow more flexibility in how the current hours are used and, if there is financial capacity to do so, to increase the number of available hours.

Recommendation 6: LABC should consider extending the service stop date to at least six months or, at a minimum, consider a more flexible approach to extension requests as noted in Recommendation 4.

- **The costs of FLRCs by type of outcome indicate that they provide value for money.** The average cost of an FLRC that resulted in either an agreement/final order or an interim order was substantially less than a Family Standard Contract.

Outcomes

The evaluation found that the FLRC has made a **contribution to access to justice** in several ways:

- **The FLRC provides legal services to lower income individuals who would not otherwise qualify for legal aid.** Between the October 30, 2018 launch and August 31, 2021, 2,100 unique individuals received services under the FLRC and a total of 2,275 contracts were issued. Extrapolating from client survey results that almost two-fifths of clients would have represented themselves in court with another one tenth abandoning their case, this means that about 810 clients would have tried to represent themselves had they not received an FLRC and 210 would have abandoned their cases. Over two-thirds of counsel also believe that the FLRC has improved access to justice by providing legal services to those who would not have qualified for legal aid.
- **With its expanded legal aid eligibility, the FLRC has increased access to justice by covering more individuals.** By increasing household income limits to up to \$1,000 more than for the Family Standard Family Contract and increasing the types of issues covered, the FLRC now

provides services to a wider range of individuals. The FLRC also is considered to provide an intermediate approach between full representation and family duty counsel which benefits clients from having continuity of counsel.

- **The client experience with the FLRC was very positive overall.** Clients reported being satisfied with the services received and found the FLRC to be helpful to them in terms of improving their understanding of their legal issues, options, and the court process, as well as preparing them for next steps. Most counsel concurred that the FLRC has had a substantial or moderate impact in these areas. However, as noted above, clients were critical of the limited service period and number of hours.

The FLRC is considered to have a moderate impact on moving clients' matters close to resolution.

While both clients and counsel were less positive about the FLRCs' impact on moving the matter closer to resolution, there was still the belief by the majority that there was some (albeit potentially moderate) impact. LABC administrative data shows that while a number of FLRCs result in agreements, final orders, or interim orders, there is a higher proportion of outcomes where the client is proceeding alone compared to Family Standard Contracts. This might be expected, but the trend between the FLRC 2018 to the FLRC 2020 is more clients proceeding alone and fewer final and interim orders. These results appear to align with comments of counsel (survey and interviews) that with some additional hours and/or a longer service period, they might have achieved a better result for clients.

The evaluation did not find that the FLRC has contributed to the efficiency of the court process in terms of moving matters to resolution earlier or using less court time. Related to moving the matter closer to resolution, the FLRC is also not considered by counsel to have much impact on the efficiency of the family law process. Most counsel surveyed considered it to have a minor or no impact on moving cases toward resolution earlier or with less court involvement. However, counsel may not be comparing the results of the FLRC to the impact of an unrepresented individual on the court process.

Overall, the evaluation found that there is generally support for the FLRC by clients and counsel with the desire for some changes or improvements. The changes most often raised, and based on the totality of the evaluation evidence would potentially have the most impact on improving clients' outcomes, would be increasing the flexibility in how available hours are used, the number of hours available, and service stop date.

1.0 Introduction

Legal Aid BC (LABC) hired PRA to conduct an evaluation of its Family Limited Representation Contract (FLRC). The evaluation covered approximately three and a half years from the launch of the FLRC on October 30, 2018 to April 26, 2022. This final evaluation report includes the results from all lines of evidence and offers recommendations for how to improve the FLRC.

2.0 Overview of the FLRC

On October 30, 2018, LABC implemented the FLRC, a limited representation contract that expanded coverage to clients who are not eligible for a Family Standard Contract. The FLRC is intended to provide clients who may have some ability to self-represent with support, assistance, and coaching from counsel so that they can move their family matter forward and potentially resolve some of their issues. The FLRC is also intended to provide clients with greater continuity of counsel than they would receive from family duty counsel.

LABC created the FLRCs to respond to access to justice issues in the area of family law. At its inception, the FLRC was intended to address barriers that low income individuals experienced in accessing legal assistance for family law issues that would not otherwise qualify for legal aid. By providing these individuals who were likely to proceed without legal representation some limited legal support and advice, the FLRC would assist clients and also help the family law system work more efficiently. When the FLRC was launched in 2018, LABC offered the FLRC without additional funding but from within the existing family tariff budget. LABC modified the terms of the FLRC several times after its introduction, both in response to the onset of the pandemic and to manage costs to budget.

FLRC terms

Under the FLRC, counsel can provide unbundled services in certain types of cases to help clients move their family matter forward. As defined in the Notice to Counsel #98: “Unbundling legal services, where counsel provide legal services for part of a client’s legal matter, allows clients to access some legal help where they would otherwise not be eligible for legal aid representation” (Legal Services Society (now LABC), 2018). Unbundling legal services allows counsel and the client to determine which services the client would most benefit from within the parameters of what is allowed under the FLRC. For example, under the existing version of the FLRC, counsel can:

- provide legal information, advice, or coaching;
- assist with drafting letters or court documents;
- negotiate with the other party;
- draft financial statements, agreements, or consent orders;
- provide mediation support;
- prepare for case or settlement conferences; and
- attend short, simple court appearances or case conferences but not long, complex court appearances, such as contested hearings, trial management or settlement conferences, or trials (LABC, 2020a).

The FLRC differs from the Family Standard Contract in ways that reflect the limited nature of its coverage. In particular, the FLRC has a lower number of maximum hours and a shorter service period (time between service start date and service stop date). In addition, the coverage of the FLRC has shifted over time with respect to financial eligibility and issue coverage. The key features of the FLRC over time with a comparison to the Family Standard Contract are in Table 1 (see next page). The main changes in terms of coverage are set out below.

- On September 25, 2020, the FLRC was modified in terms of the types of issues covered (from financial security only to all family issues except divorce only) and the financial eligibility guidelines (monthly household income was set \$1,000 higher than for Family Standard Contracts). This was done on a trial basis in order to assist more individuals during the pandemic, which had impacted the availability of in-person legal aid (e.g., intake and duty counsel) and court services (LABC, 2021). As the FLRC was still operating within the existing family tariff budget, this increased access to justice to those who would not otherwise qualify for legal aid had to be carefully managed.
- On April 1, 2021, the coverage expansion of the FLRC remained unchanged but the financial eligibility guidelines reverted to match the monthly household income levels of the Family Standard Contract. This was done to manage demand based on the available budget (LABC, 2021).
- After the provincial government provided LABC with new funding to support the FLRC, on May 24, 2022, the FLRC's financial eligibility guidelines were revised to the September 2020 levels to increase the number of people who qualified for these services.

Please note that the time frame covered by the evaluation (from the FLRC launch in October 2018 to April 26, 2022) does not include the most recent change to the FLRC that occurred in May 2022.

Evaluation of the Family Limited Representation Contract

Table 1: Key features of the FLRC over time compared to Family Standard Contracts

	Family Standard Contracts	FLRCs issued between October 30, 2018 and September 24, 2020	FLRCs issued between September 25, 2020 and March 31, 2021	FLRCs issued between April 1, 2021 and May 23, 2022	FLRCs issued starting May 24, 2022
Client financial eligibility	Household income as per LABC financial eligibility	Household income same as for standard representation	Household income up to \$1,000 per month higher than standard representation	Household income same as for standard representation	Household income up to \$1,000 per month higher than standard representation
Client legal issues	Issue coverage is as set out in the Family Tariff. Typically, the matter will include a risk of harm or violence to the client and/or their children.	Issues are limited to financial security (child support, spousal support, preservation and/or division of family property). A risk of harm or violence is not required. These contracts were issued to clients who were not otherwise eligible for a standard contract via the exception review criteria.	All family law issues may be covered in Provincial or Supreme Court, except divorce alone. A client may be eligible for a FLRC without meeting the general coverage guidelines for a Family Standard Contract, and a risk of harm or violence is not required. They must also have some ability to self-represent.	No change	No change
Available hours	35 hrs preparation, 35 hrs court attendance, 10 hrs preparation for Supreme Court, preparation and attendance for out of court dispute resolution, etc.	Up to 15 hours, which includes up to 3 hours of court-based conferences (same for Provincial or Supreme Court)	Up to 8 hours general preparation and up to 3 hours attendance for court-based conferences, or simple brief uncontested hearings or speaking to Consent Orders	No change	No change
Service Stop Date	2 years	1 year	120 days or March 26, 2021, whichever is earlier (after March 2021, these contracts were all extended to 120 days)	120 days	No change
Bill By Date	6 months after service stop date	6 months after service stop date	30 days after service stop date	30 days after service stop date	No change

Sources: (LABC, 2020b, 2021, n.d.; Legal Services Society (now LABC), 2018)

3.0 Methodology

The evaluation is guided by the evaluation matrix, which is included in Appendix A. The methodology is based primarily on four main lines of evidence:

- document and data review
- online survey of clients
- online survey of counsel
- interviews with counsel

The instruments used for the evaluation are in Appendix B.

3.1 Document and data review

Document review

PRA reviewed documents related to the FLRC, including:

- FLRC summary of services
- FLRC eligibility guidelines
- Message to the Family Law Bar (September 2020)
- Notices to Counsel (October 2018, September 2020, March 2021)
- The Approved Letter sent to clients issued an FLRC (current September 2020 version and previous version used between October 2018 and September 2020)
- The optional FLRC limited retainer agreement provided to counsel through the Online Lawyer Portal (current September 25, 2020 version and previous version used between October 2018 and September 2020)
- May 24, 2022 document of changes to FLRC eligibility

Review of LABC data

LABC provided PRA with data from its Client Information System (CIS) that responded to the evaluation questions. The data included family applications with interview dates between November 1, 2018 (just after the launch of the FLRC) and August 31, 2021, decisions on those applications, and data for contracts related to those applications. Activity on the applications and contracts were included up to the date the data were generated, which was April 26, 2022.¹

The period between the last interview date included in the analysis (August 31, 2021) and the date on which the data were generated (April 26, 2022) was to provide as much time as possible for FLRCs issued closer to the end of the period to be concluded and invoiced, thereby enabling the evaluation to include as much data on the issued FLRCs as possible.

¹ CIS data is continually updated and could be different if generated on a different date.

3.2 Survey with clients

A mixed mode survey (primarily online with telephone follow up) was conducted with LABC clients who had received an FLRC between October 30, 2018 (the launch of the FLRC) and December 31, 2021. This timeframe was chosen to allow time for clients at the end of the time period to receive some services under the FLRC. A total of 1,003 clients received an invitation for the survey from PRA.² The survey was in field from March 16, 2022 to April 30, 2022. To encourage responses, those who participated were entered into a draw for two \$50 gift cards. Three reminder emails were sent along with telephone follow ups during which clients were offered the option to take the survey by telephone, if they preferred. Just over two-thirds (n=212, 68%) completed the survey online with the remaining (n=102, 32%) by telephone.

A total of 314 clients responded to the survey for a response rate of 31%. However, not all of those who responded to the survey had talked to their lawyer or received any services yet. Table 2 shows clients' level of engagement with the FLRC. Approximately 30% survey respondents had not yet received services from their lawyer to their knowledge.³ Clients were only asked questions that they could respond to given their level of engagement.

Table 2: Level of client engagement with FLRC (Client survey)

	# of client respondents (n=314)	% of client respondents
Talked to lawyer	268	85%
Received services from lawyer	217	69%
Note: Respondents who received services also spoke with their lawyer so totals may sum to more than 100%.		

Given the changes to the FLRC as described in Section 2.0, the survey asked a few questions based on when the respondent received an FLRC as recorded in LABC CIS data. Clients who received an FLRC issued between October 30, 2018 and September 24, 2019 (hereinafter referred to as FLRC 2018) and an FLRC issued on or after September 25, 2020 (hereinafter referred to as FLRC 2020) were asked questions applicable to the FLRC 2020.

Table 3: Respondents based on FLRC issued (Client survey)

	# of client respondents	% of client respondents
FLRC 2018	96	31%
FLRC 2020	218	69%
Total	314	100%
Note: Respondents who received services also spoke with their lawyer so totals may sum to more than 100%.		

² Twenty emails were undeliverable and have been removed from the listed total sample size.

³ A small percentage (2%) were uncertain.

The demographics of the client survey respondents are presented in Appendix C. Highlights include:

- The majority of respondents were between 35 and 54 years of age (64%).
- Just over two-thirds were women (67%).
- One-tenth self-identified as Indigenous (10%).
- The most common language spoken at home was English (86%) with the next most common languages being Farsi, Punjabi, and Tagalog (2% each).
- The majority of respondents had received some type of post-secondary education (58%).
- Almost half of respondents were in either Metro Vancouver/Sunshine Coast or Surrey/Fraser Valley (46%).

The detailed client survey profile is in Appendix C.

Survey results were analyzed by whether or not clients self-identified as Indigenous. Differences in the responses between the groups were not statistically significant. Therefore, only overall client survey results are included in this report.

3.3 Online survey with counsel

An online survey was provided to all counsel who had a standard contract or an FLRC between October 30, 2018 (the launch of the FLRC) and December 31, 2021. A total of 692 counsel received an invitation for the survey from LABC.⁴ The survey was in field from January 10, 2022 to January 31, 2022. To encourage responses, three reminder emails were sent. The survey included general questions about counsel's experience (if any) with the FLRC and sought their opinion of the FLRC, its effect on the family justice system, and client outcomes.

A total of 198 counsel responded to the survey for a response rate of 29%. Most counsel who responded had provided more than one type of family legal aid service, and 75% had provided legal aid services under an FLRC. See Table 4.

Table 4: Type of services provided (Counsel survey)

Have you provided family legal aid services under any of the following?	# of counsel respondents	% of counsel respondents
Family Standard Contract	195	99%
Family Limited Representation Contract	149	75%
Family duty counsel	71	36%
Family LawLINE	14	7%
Total	198	100%

Note: Respondents could provide more than one answer; totals may sum to more than 100%.

⁴ Twenty-six emails were undeliverable and have been removed from the listed total sample size.

3.4 Key informant interviews with counsel

To gather more detailed feedback from counsel, interviews were conducted with counsel who had accepted a large number of FLRCs as well as with counsel who had accepted many Family Standard Contracts but had not accepted FLRCs. A total of thirteen counsel were interviewed: eleven who had accepted FLRCs and two who had not as of March 2022. Interviews were conducted by video- or teleconference.

3.5 Methodological limitations

The evaluation encountered a few methodological limitations or challenges. They are briefly mentioned below by line of evidence.

Table 5: Summary of limitations, challenges, and mitigation strategies

Line of evidence	Limitation or challenge	Mitigation strategy
Document and data review	The LABC administrative data, as is true with most administrative data, is mainly collected for operational rather than evaluation purposes, so some desired fields do not exist or data is collected in a different format than needed for the evaluation.	Where possible for items not specifically tracked in the CIS, variables were constructed from the available data or certain assumptions were used in analyzing data.
Client survey	Potential response biases from the sampling approach, the voluntary nature of participation, self-reporting, and the possible desire to affect outcomes.	All LABC clients who have received an FLRC and consented to being contacted for research purposes were invited to participate. LABC ensured that no clients with a caution flag (e.g., have identified safety issues) received the survey.
Counsel survey		Census approach (all counsel who had taken a standard contract or an FLRC between selected dates were invited). Used multiple lines of evidence and triangulation to confirm results.
Key informant interviews	Potential response biases from the sampling approach, the voluntary nature of participation, self-reporting, and the possible desire to affect outcomes.	Used multiple lines of evidence and triangulation to confirm results.

A note on terminology:

For purposes of this report, FLRC 2018 and FLRC 2020 are used to refer to two periods where the contract had substantial changes to its coverage. These two categories of the FLRC are separately flagged in the LABC CIS data, which enables this analysis.

- **FLRC 2018** refers to FLRCs that were issued between October 30, 2018 and September 24, 2020.
- **FLRC 2020** refers to FLRCs that were issued after September 25, 2020.

The change to financial eligibility that occurred on April 1, 2021 is handled in the data analysis that relates to financial eligibility by excluding applications made after April 1, 2021 when the financial guidelines reverted to being the same as Family Standard Contracts.

In addition, some analyses, such as the cost of FLRCs, depended on considering contracts that had concluded some aspect of the work. LABC administrative data does not specifically record when a contract has concluded. Therefore, for purposes of this report, the *contract outcomes* field, which is derived from the *invoice outcome* field, was used. This field is based on the most recent of the highest ranked invoice outcomes for that contract. The ranking is: #1 Agreement – mediated; agreement – negotiated; order final; #2 Order interim; and #3 Other outcomes (which can include a variety of outcomes, including those that indicate that the invoice is interim and the file is ongoing). Therefore, a **concluded FLRC** is defined as a contract with an outcome other than *unresolved file continuing* or *N/A*.

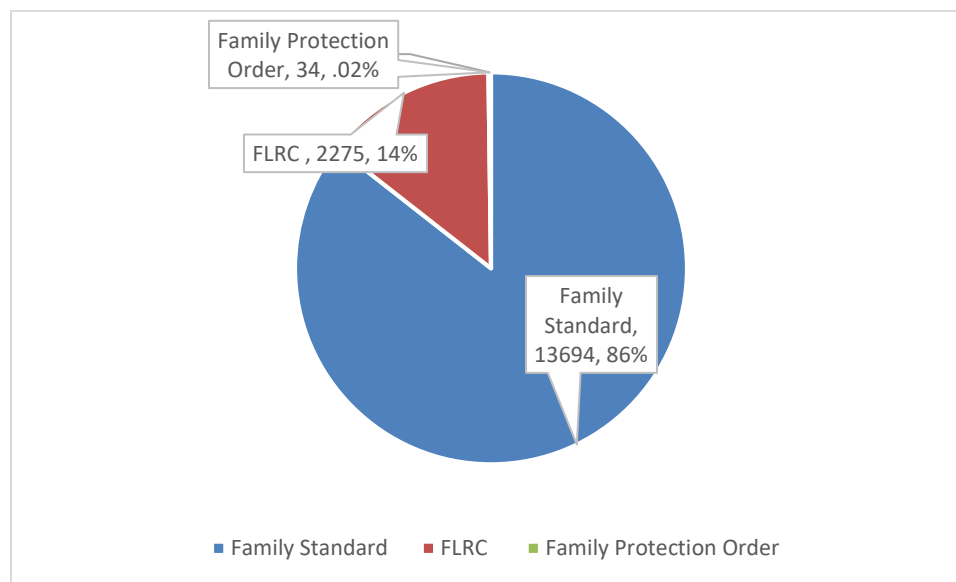
4.0 Findings

4.1 Implementation

Use of FLRCs

Between November 1, 2018 and August 31, 2021, LABC issued family legal aid contracts for 55% of the applications received.⁵ FLRC contracts represented 14% of the family contracts issued, as shown in Figure 1.

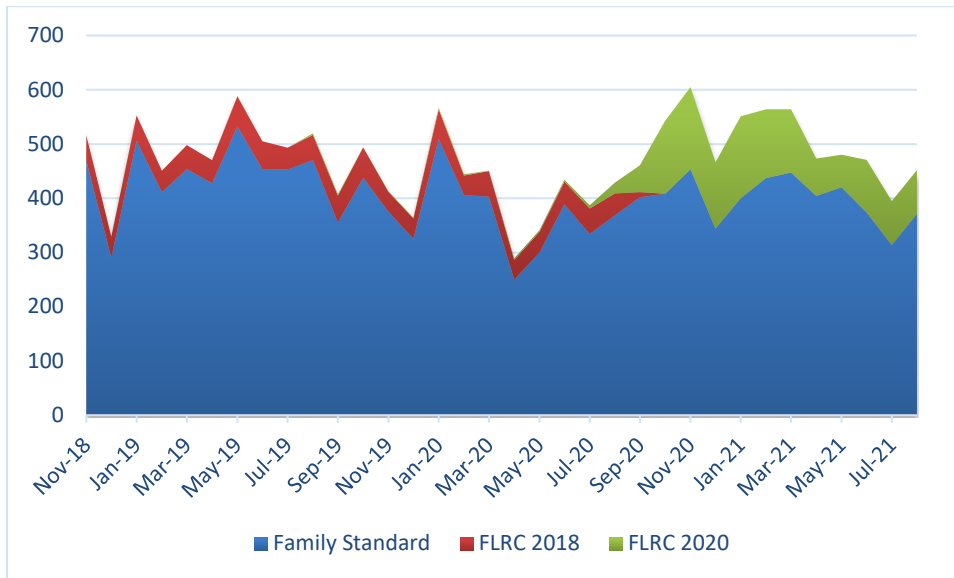
Figure 1: Family legal aid contracts issued by type (LABC CIS data)



The use of the FLRC was less during its initial period (which has been termed FLRC 2018 for this report). As described in Section 2.0, between October 30, 2018 and September 24, 2020, the FLRC could only be used for individuals with financial security issues who were not otherwise eligible for a standard contract and the same financial eligibility criteria as for a Family Standard Contract applied. The expansion of the FLRC both in terms of coverage (all family law issues except for divorce alone) and financial eligibility (household income up to \$1,000 per month higher than for Family Standard Contracts) are reflected in the increased use of the FLRC starting in September 2020. Figure 2 depicts this growth in the use of the FLRC. The slight attenuation of its use after March 2021 reflects the change in financial eligibility requirements that was in effect from April 1, 2021 to May 23, 2022 when the requirements reverted back to matching those for the Family Standard Contract. As of May 24, 2022, the financial eligibility requirements for the FLRC are once again \$1,000 over the monthly income threshold for Family Standard Contracts.

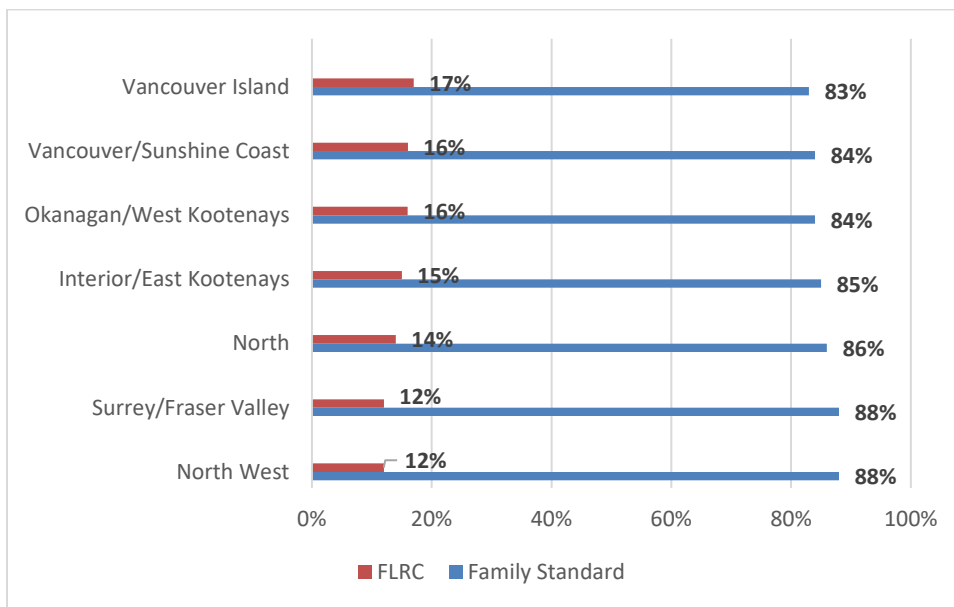
⁵ For 20 applications where the contract issued was an “outgoing reciprocal” (i.e., a referral to a legal aid plan in another jurisdiction), there was no BC counsel assigned to the contract. Those applications are removed from the analysis.

Figure 2: Family legal aid contracts issued by type over time (LABC CIS data) (n=16,003)



LABC has issued FLRCs in all court regions and at approximately the same proportion of total family contracts for each region. FLRCs constitute a slightly smaller proportion of total contracts in the North, Surrey/Fraser Valley, and North West court regions.

Figure 3: Family legal aid contracts issued by type by region (LABC CIS data) (n=16,003)



Awareness and understanding of the FLRC

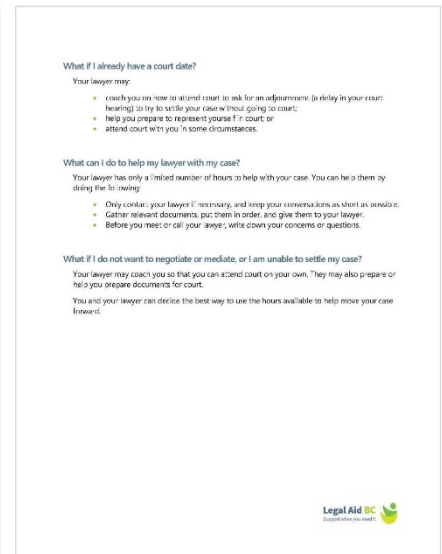
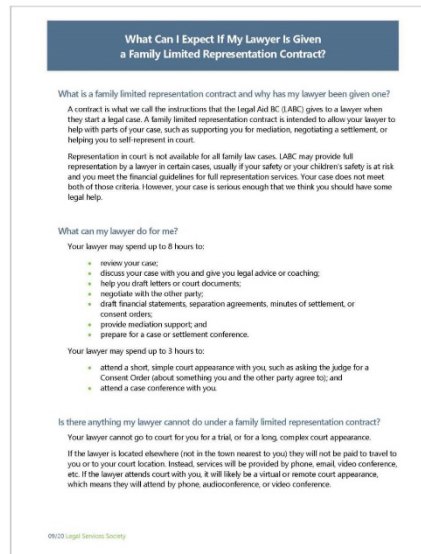
The evaluation found that counsel, clients, and courts generally understand the limited nature of the FLRC, although some issues were identified, particularly with clients, as described below.

To assist counsel with explaining the limited nature of the FLRC and managing client expectations, LABC provides clients with a document that sets out the scope of these contracts: “What Can I Expect if My Lawyer is Given a Family Limited Representation Contract?” While most clients were generally aware that they were receiving services under an FLRC (83%), about half (47%) of the clients surveyed recalled receiving this particular document from LABC.⁶

In addition, LABC has also created a sample FLRC retainer agreement that counsel can use to provide clients with a list of the services that they will be provided. Counsel are also free to create their own retainer agreement. Most lawyers either used the LABC sample agreement (38%) or based their own retainer agreement on it (24%). Some lawyers did not use the sample agreement but had their own retainer agreement that they used with clients (28%). A few did not use a retainer agreement but considered the client’s contract with LABC to serve that purpose (3%) or preferred to explain the limitations of the FLRC rather than provide a document (1%). A small number of counsel who had FLRCs reported not using any retainer agreement at all (4%).

While almost all lawyers provided some type of written retainer agreement, clients did not necessarily recall receiving it, but most did recall that counsel discussed the limitations of the FLRC. Of those surveyed clients who had spoken to their lawyer (n=268), 41% recalled their lawyer giving them a document that listed the services that they would or would not receive under an FLRC, and over two-thirds (70%) recalled the lawyer explaining what services they would/would not be receiving under the FLRC.

Based on client survey results, most clients found the types of services they could expect under the FLRC to be clear, although there are some areas where the clarity of the scope of the FLRC could be improved. Approximately one-third of clients considered the limited length of time for the FLRC (currently four months) and the limited nature of the court appearances in which counsel can appear (short, simple appearances only as of September 2020) to be unclear. It is worth noting that the “What Can I Expect if My Lawyer is Given a Family Limited Representation Contract?” document does not mention the service

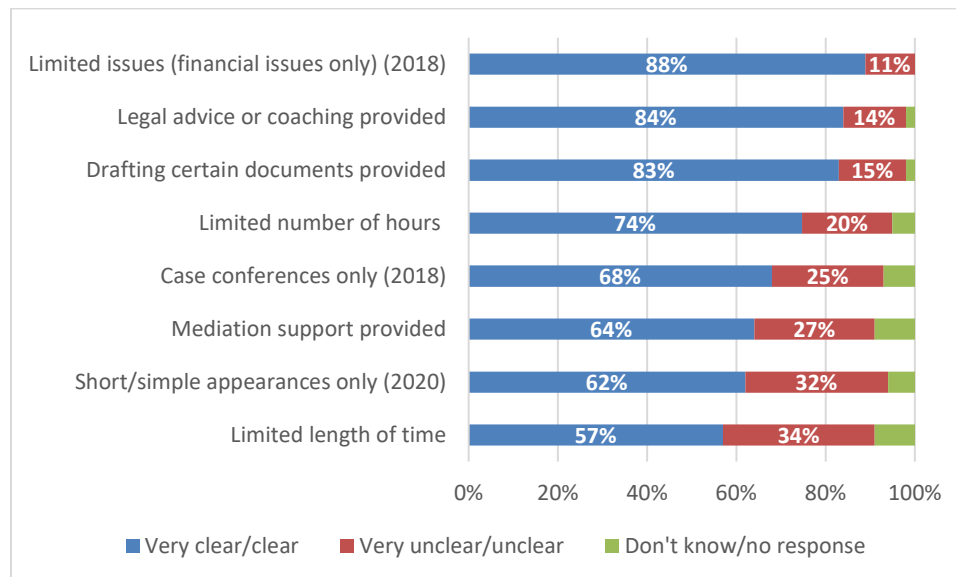


⁶ The current version is shown here, but in the survey, clients could view the version that they would have received.

period. Figure 4 provides complete results. Note that certain sub-parts focus on changes to the FLRC and were only asked of clients who received FLRC 2018 or FLRC 2020 as appropriate.

Figure 4: Clarity of the scope of the FLRC (Client survey) (n=217)⁷

How clear was your understanding of the type of services that you could expect under the Family Limited Representation Contract?



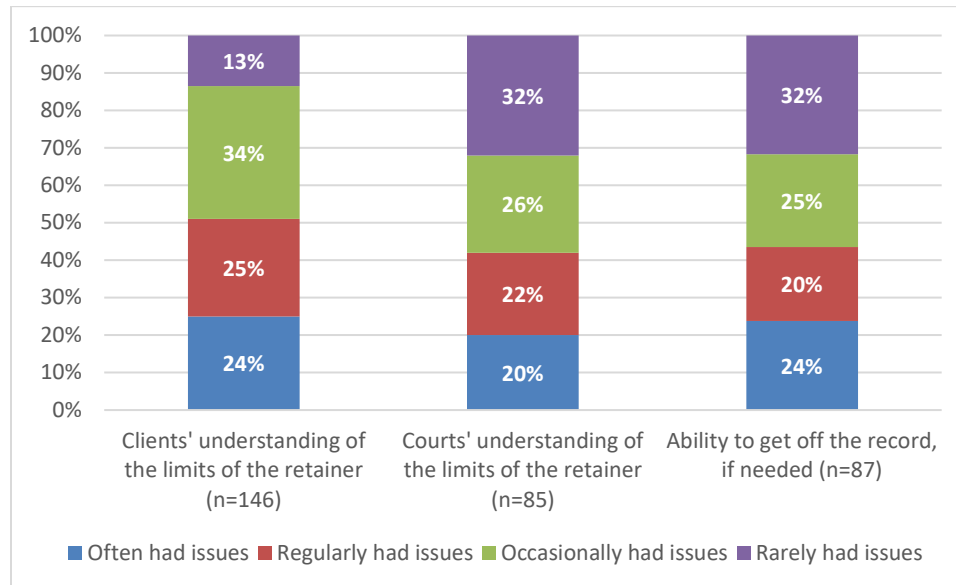
Based on interviews and survey responses, most counsel are aware of the FLRC (93% of counsel survey respondents). Counsel survey respondents were divided on whether the Notices to Counsel made lawyers sufficiently aware of FLRCs and changes to them over time, with a slight majority believing the communications with counsel were sufficient (53% compared to 47%). In interviews, counsel reported that the communications from LABC regarding the FLRC were generally clear, although some noted the need for more clarity related to how to bill for mediation time — whether it comes under general preparation or not. As there is a separate category for mediation provided under the Family Standard Contract, this may have created some confusion for a few counsel.

Counsel reported some issues with both clients' and the courts' understanding of the limited nature of the FLRC retainer. About half of counsel (49%) reported often or regularly having issues with clients' understanding of the FLRC. In interviews, counsel appreciated the efforts of LABC to inform clients but noted that clients do not have a good understanding of how much work can be accomplished within the time limits of the FLRC (currently eight hours' preparation, three hours' court time, and 120 day service period). It was suggested that perhaps something related to that could be provided to clients to help manage expectations.

⁷ This question was asked of clients who had received services from counsel. Overall, n=217 clients had received some services from counsel (n=69 received FLRC 2018 and n=148 received FLRC 2020).

n terms of issues with the court understanding the retainers’ limits, just over 40% of counsel experienced issues often or regularly. A similar proportion of counsel reported often or regularly having difficulties getting off the record. See Figure 5 for results.

Figure 5: Understanding of the limits of the retainer – other stakeholders (Counsel survey)⁸
Please rate your experience with the Family Limited Representation Contract in the areas listed below.



⁸ Counsel who did not know, did not respond, or indicated that the question was not applicable to them (e.g., they had not appeared in court) are not included in the results.

Types of services provided

Counsel provided a variety of services to FLRC clients and the types matched what is expected for the FLRC. Based on both counsel and client survey results, the types of services most often provided under the FLRC include legal advice, assistance with documents (drafting, reviewing, filing), coaching, and assistance with negotiation.

As shown in Table 6, the most commonly provided services reported by counsel were consultation and advice, services related to preparing or filing documents, assistance with negotiations, and coaching.

Table 6: Types of services provided (Counsel survey)

What services do you typically provide clients under the Family Limited Representation Contracts?	Counsel respondents who provided services under an FLRC (n=149)
Document drafting services	90%
Consultation and advice services	87%
Document review services	78%
Document filing (including filing pleadings, or submitting orders)	75%
Negotiating with opposing party or opposing counsel	64%
Coaching services	62%
Representation services (e.g., court appearances)	48%
Research and writing services	43%
Conducting searches (including <i>Land Title</i> or <i>Personal Property Security Act</i>)	33%
Other	3%
Note: Respondents could provide more than one answer; totals may sum to more than 100%.	

Clients who were surveyed indicated receiving similar services to what counsel indicated. Legal advice and coaching were the most common services followed by assistance with drafting or filing documents, as shown in Table 7.

Table 7: Types of services received (Client survey)

Thinking of your most recent experience with a Family Limited Representation Contract, what type of help did your lawyer give you?	Client respondents who received services under an FLRC (n=217)
Discussed your case with you and gave you legal advice or coaching	82%
Helped with drafting documents	60%
Filed documents for you with the court	49%
Negotiated with the other party or their lawyer	40%
Went with you to court	30%
Helped get documents served	1%
Provided emotional support	1%
Other	4%
DK / NR	2%
Note: Respondents could provide more than one answer; totals may sum to more than 100%.	

Impact of COVID pandemic on services

According to counsel, service delivery was impacted by the COVID-19 pandemic. In general, the impacts were in areas that would be expected. Over two-thirds of counsel reported that they provided more services remotely using either telephone or videoconference. The next most frequently reported impacts by counsel related to the time it took to provide services, either by requiring more time in terms of lawyer hours or the provision of services took longer (from contract issuance to completion, to schedule client appointments, to schedule court appearances).

A minority of counsel considered the pandemic to have adversely impacted their services to clients. One-quarter of counsel reported that the pandemic impacted their ability to create a positive relationship with their client which, based on interviews with counsel, was due largely to remote service delivery. Approximately one-sixth (n=21, or 14%) thought that the quality of services were impacted. These counsel noted the challenges of providing services remotely: communicating with the client was more difficult (n=10); some tasks (e.g., affidavits, completing forms) need to be done with the client present (n=5); and remote delivery created delays, which created challenges with completing services within the four-month service stop date (n=5).

Table 8: Impacts of COVID-19 pandemic on service delivery (Counsel survey)

How has the COVID-19 pandemic impacted the services that you provided under the Family Limited Representation Contract?	Counsel respondents who provided services under an FLRC (n=149)
None, no impacts	10%
I provided more services remotely (telephone, videoconference)	69%
It required more of my time (in hours) to provide the same level of service as pre-COVID	38%
Overall, it took longer to complete the services (from contract issuance to completion) than it did pre-COVID	38%
It took longer to schedule court appearances than it did pre-COVID	30%
It took longer to schedule client appointments	27%
It impacted my ability to create a positive client-counsel relationship	25%
It affected the quality of services that I provided under the contract	14%
Did not provide services under FLRC during the pandemic	2%
Obtaining documents (including affidavits)	1%
Other	3%
Don't know	8%
Note: Respondents could provide more than one answer; totals may sum to more than 100%.	

Of the clients surveyed, approximately three-quarters (n=165, 76%) received services during the pandemic (after March 15, 2020). Of those clients, almost four-fifths (78%) received services from counsel mostly (66%) or sometimes (12%) by telephone or videoconference, which aligns with counsel survey results. About one-fifth (17%) received services in person and 6% reported they mainly interacted with counsel by email.

The services by telephone or videoconference were generally well-received by clients with over two-thirds (69%) indicating that the experience was very or mostly positive. Just under one-fifth (18%) reported this format was fine (neither positive nor negative), and just over one-tenth (13%) found the experience very or mostly negative.

Most clients (55%) reported that they had a positive relationship with their lawyer despite receiving services virtually. About half of clients (47%) considered not having to worry about COVID-19 exposure from trips to a lawyer's office as a positive feature of telephone or videoconference services. In addition, many of the most frequently cited positive features of service delivery by telephone or videoconference related to convenience: not having to travel (63%), to pay for parking or other expenses (e.g., child care) (43%), or to take time off work (35%). Just over one-fifth of clients (22%) believed virtual services affected the quality of services they received in a positive way citing, in particular, its convenience (n=5) and they felt more comfortable/less anxious (n=4).

When asked if anything about the experience of receiving services from counsel by telephone or videoconference was negative, over half of clients (54%) reported that nothing was negative, which contrasts to 9% of clients who said nothing about the experience was positive. Clients who found aspects of receiving services virtually to be negative reported that they would have preferred in person services (27%), that it affected the quality of services in a negative way (21%),⁹ that it made sharing documents with counsel difficult (18%), it negatively affected their relationship with counsel (9%), and scheduling meetings with counsel was difficult/took too long (8%). Few clients reported accessibility issues: 3% did not know how to use videoconference technology, 2% did not have good cell phone reception or Internet access, and 2% could not afford a cell phone or Internet service.

⁹ Clients who reported that the quality of service was negatively impacted most often mentioned that virtual services negatively affected the quality of communication with counsel and reiterated that their relationship with counsel was negatively affected (n=8).

Timeliness of issuing FLRCs

The timeliness of the issuance of legal aid contracts (time from interview date to contract date) is a measure of the efficiency of the application process. The results show that for the FLRC 2018, the time between the interview and issuing the contract was similar to Family Standard Contracts. The time period for the FLRC 2020 has substantially increased, which could be due to the pandemic, but the evaluation does not have sufficient information to determine this. As shown in Table 9, the FLRC 2020 consistently takes longer to be issued when considering the mean, median, and percentiles.

Table 9: Time from interview date to contract date (LABC CIS)

Statistics	FLRC 2018 (n=908)	FLRC 2020 (n=1207)	Family Standard Contract (n=10739)
	Number of days		
Mean	22	30	21
Median	12	16	9
Minimum	0	0	0
Maximum	435	580	707
25 th percentile	3	7	2
50 th percentile	12	16	9
75 th percentile	29	35	26

Note: Because interviews do not occur for each new contract, this analysis reflects the time period between the interview date to the first legal aid contract issued.

Requests for extension or conversion

Requests for extension

As noted earlier, the FLRC is intended to be a limited contract with a focus on legal advice and, where possible, early resolution of legal problems. The FLRC also does not cover many types of court appearances (e.g., contested hearings, including trials). Given the nature of these contracts, the FLRC is expected to be handled in a shorter time period. As a result, the FLRC 2018 had a service stop date of one year (from service start to service stop date) compared to two years for the Family Standard Contract. This was changed in September 2020, as is described in Section 2.0, and the FLRC 2020 now has a service stop date of 120 days.¹⁰

FLRC contracts with service stop dates that are beyond one year (FLRC 2018) or 120 days (FLRC 2020) from the service start date were granted extensions. When the service stop date was one year (FLRC 2018), 2% of FLRC contracts received extensions compared to 6% of FLRC contracts when the service stop date was 120 days (FLRC 2020), reflecting an increased willingness of LABC to grant extensions with the shorter service stop date. However, LABC does not track extension requests so the full picture that would include the number of extensions that were requested but denied is not available in the administrative data. It is also worth noting that for FLRC 2018, just over one quarter (26%, n=258 of 984) were completed in less than the one year service stop date and, of those 258 FLRC 2018, 44% were completed in 120 days or less (meeting the FLRC 2020 standard even though that was not required for FLRC 2018), 58% were completed within six months, and 74% were completed within nine months.

¹⁰ The FLRC 2020 had a transition period where, to manage resources and assist with financial planning, LABC set the service stop date as 120 days or March 26, 2021, whichever was earlier. After March 26, 2021, any contracts impacted by the shorter service stop date were all expanded to 120 days.

Based on interviews, counsel who requested extensions tended not to have them granted (most were speaking about the FLRC 2020). They noted that sometimes a short extension would help them attend a hearing for the client or complete a task that was underway. Sometimes extensions were needed due to delays by the other party or difficulties experienced by the client in obtaining needed documents. These counsel found LABC to be too inflexible in its approach to these requests, which they found frustrating given the time it took them to make a request an extension. Some counsel indicated that they feel pressured to do the work pro bono, given that it was unlikely that LABC would grant their extension request and they do not want to stop providing services when a few additional hours would yield a much better result for the client.

Requests for conversion

FLRCs can also be converted to Family Standard Contracts in appropriate cases, such as cases with a risk of harm or violence to the client and/or their children. Over two-thirds of counsel who had made such requests (n=89) either often or regularly had issues with the process for converting an FLRC to a Family Standard Contract (n=61, 69%). Interviewees who could comment noted that the process is time-consuming and that it could take months to get a decision.

Change of counsel

Starting in September 2020, the FLRC is not eligible for changes of counsel unless there are exceptional circumstances (LABC, 2020b). Given the shorter service stop date for the FLRC than for Family Standard Contracts, the expectation is that changes of counsel should not be needed for the FLRC. The percentage of contracts with changes of counsel is much lower for the FLRC than the Family Standard and with the change to FLRC 2020, the proportion of FLRCs with a change of counsel dropped by half. The Family Standard Contract (two year service stop date) had 20% of contracts with a change of counsel, compared to 9% of the FLRC 2018 (one year service stop date) and 4% of the FLRC 2020 (120 day service stop date).

Changes to FLRC coverage and its impact on the level of counsel interest in taking FLRCs

Overall, counsel agree with changes to coverage that increase the scope of the FLRC and disagree with those that limit its scope.

Most counsel agree with the increased scope of family law issues covered (i.e., no longer restricted to only financial security issues) and the inclusion of brief uncontested hearings as covered court appearances (i.e., no longer restricted to court-based case conferences). Those who do not agree generally noted that these changes are overshadowed by the other changes to the scope which increase restrictions (i.e., the reduction in hours and service period).

The majority of counsel (71%) disagreed with the changes to the available hours which went from 15 to 11 hours and included limits on how the hours could be allocated (eight to general preparation and three to court attendance).¹¹ Based on counsel survey and interview responses, the preference is for more hours but at a minimum more flexibility in the hours.¹² The allocation between preparation (eight

¹¹ FLRC 2018 had 15 hours, of which up to three could be allocated to court-based case conference attendances; however, all 15 could be allocated to preparation time, if needed.

¹² Counsel survey respondents who disagreed with the change to the available hours (n=119) reported they were generally insufficient (50%), the preparation time was insufficient (27%), there needed to be more flexibility/hours not broken down (21%), and court time was insufficient (6%).

hours) and court appearance time (three hours) is considered too restrictive, particularly with the reduction in the number of hours. In general, counsel considered 11 total hours to be too few and believe that more hours are needed to help move the case closer to resolution. Some examples of counsel comments are below.

“Insufficient time to meaningfully engage with client, collect and review all required information/documentation, engage with opposing party or opposing counsel, prepare for and attend court, and document any result from court appearance.”

“Family law cases are often complicated and getting information is time-consuming. Eight hours can go by very quickly. One can sit and wait in court for two hours or more, depending on the list and the issue that has to be addressed, even if by consent.”

“Eight hours’ general prep will not allow much time for discussing issues with your client, initiating some contact with the other side and reaching a fair resolution. Three hours’ court is adequate but I think most would prefer 15 hours for the reason that it allows the lawyer to put the time in where they think it is needed and not be stuck without prep time and with three hours of court time they won’t use.”

“Allocating hours between general prep and court should be flexible to account for files where: (1) limited prep time is required but extensive court hours are needed for various reasons including adjournments, and (2) limited court hours are required but prep time can be exhausting due to issues including client inflexibility and understanding.”

In interviews, counsel also highlighted the extra time demands of the new Provincial Court Family Rules forms, which they say are longer and take more time to help a client complete them.

Given the current number of hours, only a few counsel surveyed desired FLRCs to cover other types of services. The types of services included: out of court dispute resolution (mediation/collaborative meetings) (n=13); and other types of court appearances (urgent matters, contested court appearances, Chambers representation) (n=8).

The majority of counsel (60%) also disagreed with the service stop date being changed from one year to 120 days.¹³ In general, they believe that the service stop date needs to be longer for a variety of reasons, including to account for delays by the other party, issues that client may experience in getting needed materials, and delays/backlogs in the courts. Some examples of counsel comments are below.

I have only once had a contract that was actually resolved within the 120 days, and that was with about two days to spare. Otherwise the other side just stalls, and I cannot provide any meaningful assistance. I fail to see how this stringent limit possibly helps increase access to justice given that 120 days is arbitrary and not based on any understanding of how long family law cases take to resolve.

¹³ Counsel survey respondents who disagreed with the change to the service stop date (n=103) reported the service period was generally insufficient and needs to be longer (58%), and that court delays and backlogs require that the period be longer (37%). In addition, others noted that increasing the service stop date would not improve the main issue with the FLRC, which was the limited hours (12%).

It is taking longer and longer to get court dates with COVID-19. In addition, it can take some time to serve unrepresented parties. Given these factors, sometimes 120 days is not enough time to get to a case conference.

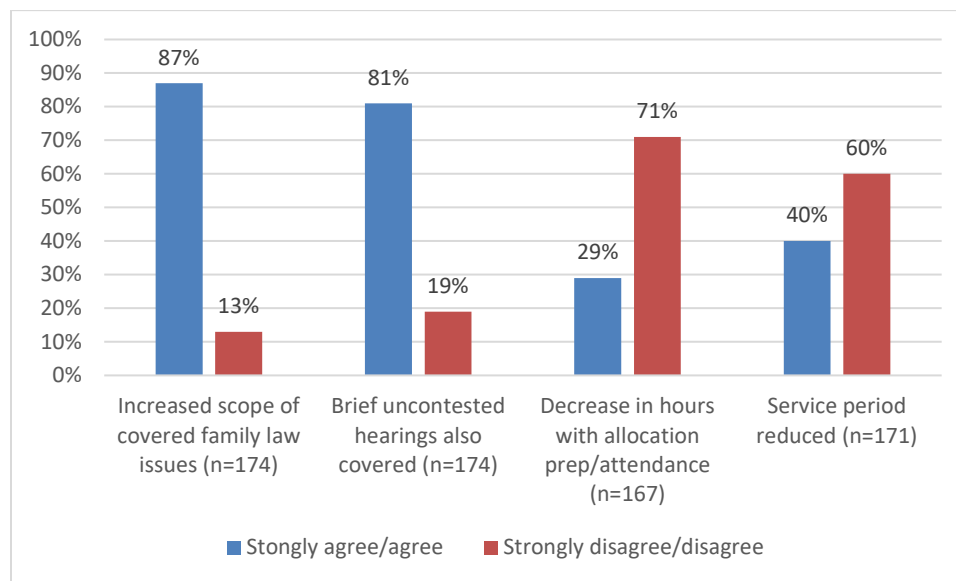
120 days is not enough time. For Provincial Court due to the Notice to Resolve and FJC involvement. For Supreme Court due to the back log on JCCs.

Time span insufficient in cases where court documents have to be drafted and filed and contract runs out in most cases before a reply rolls in- usually pivot to coaching to help clients along.

For family matters, often a longer period is better. It helps calm things down often and gives time to negotiate with(out) the pressure of such a quick deadline.

Opposing party may be unresponsive and it can sometimes take time for clients to obtain documents or to give instructions. The 120 day limit presumes that both parties are willing to address issues when that is seldom the case.

Figure 6: Counsel opinion of FLRC coverage changes (Counsel survey)¹⁴
Please indicate the extent to which you agree that the most recent changes made to the Family Limited Representation Contract are an improvement to this service.



The coverage changes to the FLRC that have occurred over time appear to have impacted counsels' willingness to accept a limited representation contract based on survey and interview findings.

¹⁴ "Don't know" responses are not included. They ranged from 12% to 16%.

The most direct measure would be an increase in number of counsel declining FLRCs when coverage changed, but the LABC administrative data does not capture when counsel decline an FLRC. Based on comparing the proportion of counsel who accepted some form of family legal aid contract between November 1, 2018 and August 31, 2021, the willingness to accept an FLRC appears to be stable: 46% of counsel who handled some form of legal aid contract accepted an FLRC 2018 and 44% accepted an FLRC 2020. However, this does not reflect counsel who might have declined more FLRCs than they accepted, for example.

Because of the limitation of the administrative data, the counsel survey may be a better indication of counsels' future willingness to take FLRCs. Just over half (n=103, 52%) of counsel surveyed reported that they had declined to accept at least one FLRC.¹⁵ The most cited reasons were the insufficiency of the limited hours (75%) and the service stop date (66%) to do the work. In addition, issues with clients, the courts, and the other party understanding the limits of the retainer were cited by at least half of these counsel. See **Table 10**.

Table 10: Reasons for declining to accept a FLRC (Counsel survey)

Why have you declined to accept a Family Limited Representation Contract?	Counsel respondents who declined an FLRC (n=103)
The hours available under these types of contracts are insufficient to do the work	75%
The service period of these types of contracts does not provide counsel with sufficient time to do the work	66%
Clients do not sufficiently understand the limited scope of these contracts	57%
I have concerns about managing the expectations of the court regarding the limits of my retainer	51%
I have concerns about managing the expectations of other counsel or other parties regarding the limits of my retainer	51%
I was too busy at the time to take on more work	50%
I am not comfortable with the limited scope of services that I can provide under these contracts	50%
Lawyers are at higher risk of complaints and abuse	1%
They negatively impact quality of service	2%
Personal or logistical reasons	5%
Other	2%
Note: Respondents could provide more than one answer; totals may sum to more than 100%.	

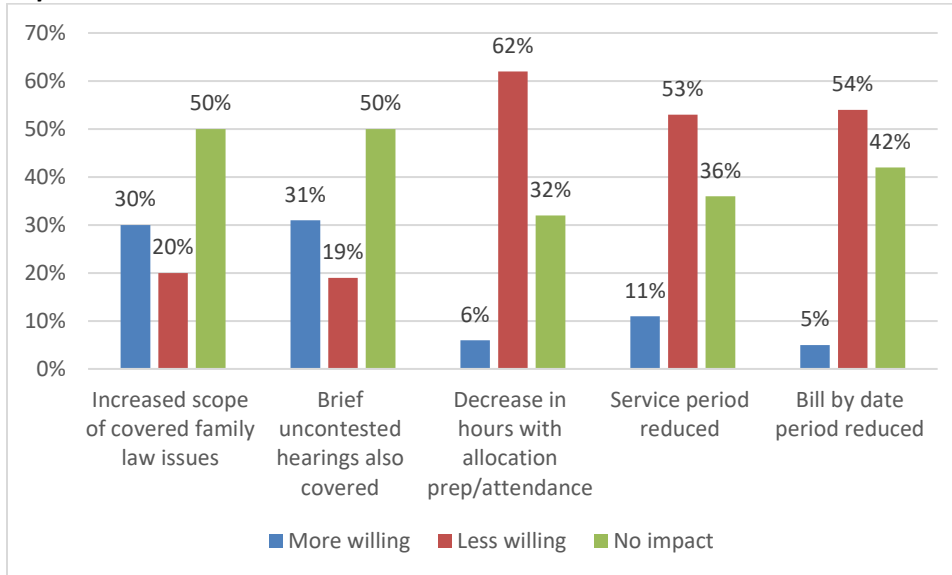
The reasons for not accepting FLRCs align with other survey results. Almost two-thirds of counsel who had accepted FLRCs reported that they often or regularly had issues with the ability to provide meaningful assistance within the allowed hours (65%) or within the allowed contract time periods (i.e., start and stop dates and bill by dates) (61%).

¹⁵ The remaining respondents were evenly divided between those never having declined a FLRC and those unable to recall (24% each).

In addition, when asked directly whether any of the FLRC changes impacted their willingness to accept FLRCs, the majority of counsel noted that that the decrease in hours, the reduced bill by date (from six months to 30 days), and the 120 day service stop date made them less willing to accept an FLRC in the future.

Figure 7: The impact of FLRC coverage changes on counsels' willingness to accept FLRCs (Counsel survey) (n=149)

Have any of the recent changes impacted your willingness to continue to accept Family Limited Representation Contracts?



Costs of concluded FLRCs

As expected, given the limited nature of the FLRC contract, the cost of concluded FLRCs is less than Family Standard Contracts. Concluded FLRCs had an average cost of \$1,025, which was just over one-quarter of the average cost of a concluded Family Standard Contract (\$3,797).

Table 11: Cost per concluded LABC contract by contract type (LABC CIS)

Contract type	#	Average cost per contract	Median cost per contract	Maximum contract cost
FLRC (2018 and 2019 combined)	702	\$1,025	\$988	\$2,904
FLRC 2018	307	\$1,252	\$1,296	\$2,904
FLRC 2020	395	\$849	\$934	\$2,314
Family Standard Contract	6,618	\$3,797	\$3,235	\$92,094

Note: A concluded contract is a contract that does not have an outcome of *unresolved – file continuing* or *N/A*.

Comparing the costs of the FLRC based on the type of outcome on the file shows that the FLRC cost appears to indicate value for money. The FLRC costs substantially less than the Family Standard Contract to obtain agreements or final orders, or interim orders. This might also be expected given the type of family law matters handled under an FLRC, but it does show that the FLRC is achieving similar outcomes for clients at a low cost.

Table 12: Average cost per concluded LABC contract by contract type and outcome (LABC CIS)

Outcome	FLRC combined (2018 to 2020) (n=702)	FLRC 2018 (n=307)	FLRC 2020 (n=395)	Family Standard Contract (n=6,618)
Agreement (mediated/negotiated) or final order	\$1,227	\$1,442	\$964	\$4,643
Interim order	\$1,248	\$1,425	\$1,079	\$4,237
Other outcomes	\$901	\$1,112	\$766	\$1,969

Note: A concluded contract is a contract that does not have an outcome of *unresolved – file continuing* or *N/A*. Other types of outcomes include various reasons for the file closing that do not clearly denote any progress on the substantive family law matter, such as change of counsel, client abandoning the contract, or client proceeding on their own.

4.2 Outcomes

Access to justice

Overall assessment of the FLRC contribution to access to justice

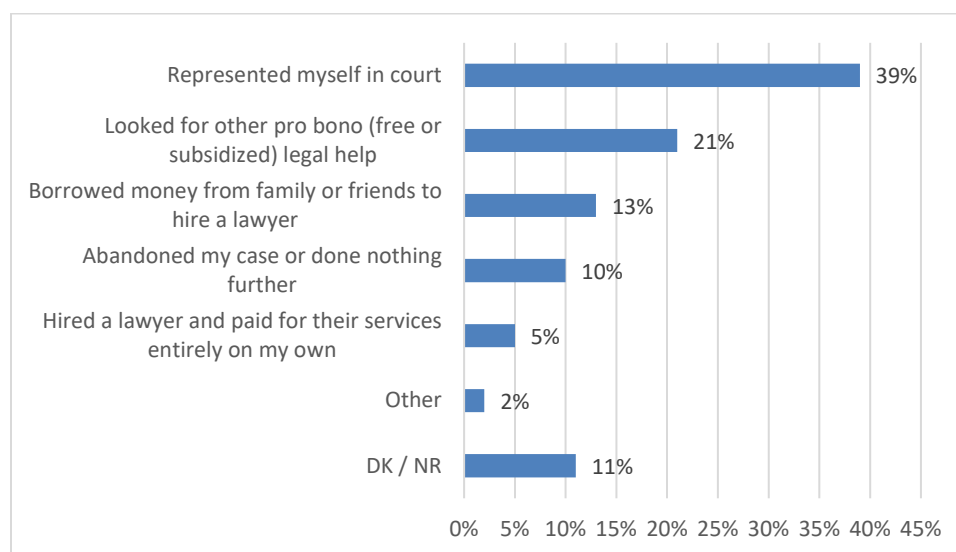
Access to justice has been broadly defined as:

“Enabling Canadians to obtain the information and assistance they need to help prevent legal issues from arising and help them to resolve such issues efficiently, affordably, and fairly, either through informal resolution mechanisms, where possible, or the formal justice system, when necessary” (Department of Justice Canada, 2016).

The FLRC contributes to access to justice by providing legal services to British Columbians who are lower income and may otherwise not be able to afford counsel. Between November 1, 2018 and August 31, 2021, 2,100 unique individuals had FLRC contracts issued to them.¹⁶ Of these individuals, approximately two-thirds were female and one-sixth self-identified as Indigenous.

Client survey results bolster the finding that the FLRC makes a substantial contribution to access to justice. As shown in Figure 8, had they not had an FLRC, almost two-fifths of clients would have represented themselves in court with another one-tenth (10%) reporting that they would have abandoned their case. Situations where clients proceed to court without legal representation or fail to pursue their legal remedies highlight common results when access to legal services and, therefore, access to justice is lacking.

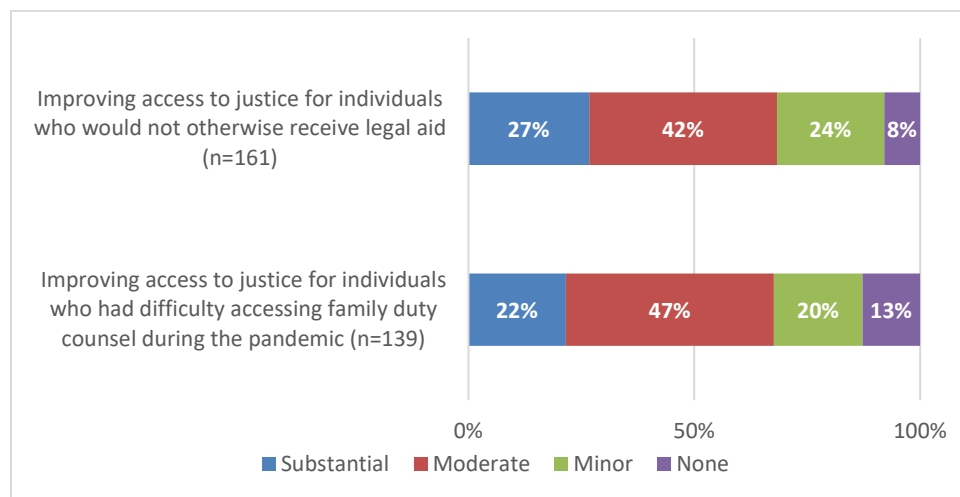
Figure 8: Client options without the FLRC (Client survey) (n=217)
If you had not received the legal services that you did from the lawyer under a Family Limited Representation Contract, what would you have done? What is the most likely step that you would have taken?



¹⁶ Some individuals had more than one FLRC during the time period, which is why the number of unique clients is less than the number of FLRC contracts (n=2,275).

In addition, over two-thirds of counsel consider the FLRC to have improved access to justice by providing legal services to those who would otherwise not have received legal aid and by providing services during the pandemic, when it was more difficult to access duty counsel given the virtual delivery of legal aid and court services.

Figure 9: Impact of the FLRC on access to justice (Counsel survey)¹⁷
How would you describe the impact that the FLRC has had in the following areas?



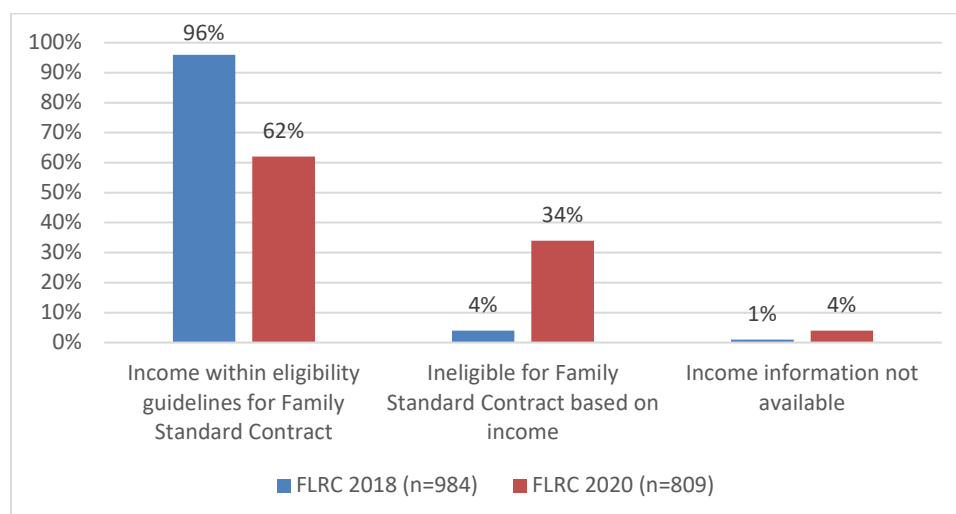
¹⁷ All lawyers were asked this question whether or not they have accepted an FLRC. Those who responded DK/NR are excluded from the figure. The DK/NR percentages were 19% for improving access to justice generally and 30% for improving access to justice during the pandemic.

Expansion of legal aid eligibility

As described in Section 2.0, the coverage of the FLRC has shifted over time with modifications made to the eligibility requirements that included increasing the allowable household income and expanding the types of issues covered. Both of these changes had an impact on access to justice by providing legal assistance to a more individuals with a wider range of family law issues.

The impact of the financial eligibility expansion is reflected in **Figure 10** and shows how the increase in household income to up to \$1,000 per month higher than standard representation that occurred between September 25, 2020 and March 31, 2020 (FLRC 2020) enabled the FLRC to cover clients who would otherwise have been ineligible for legal aid. Just over one-third of clients who received an FLRC 2020 were not financially eligible for a Family Standard Contract.

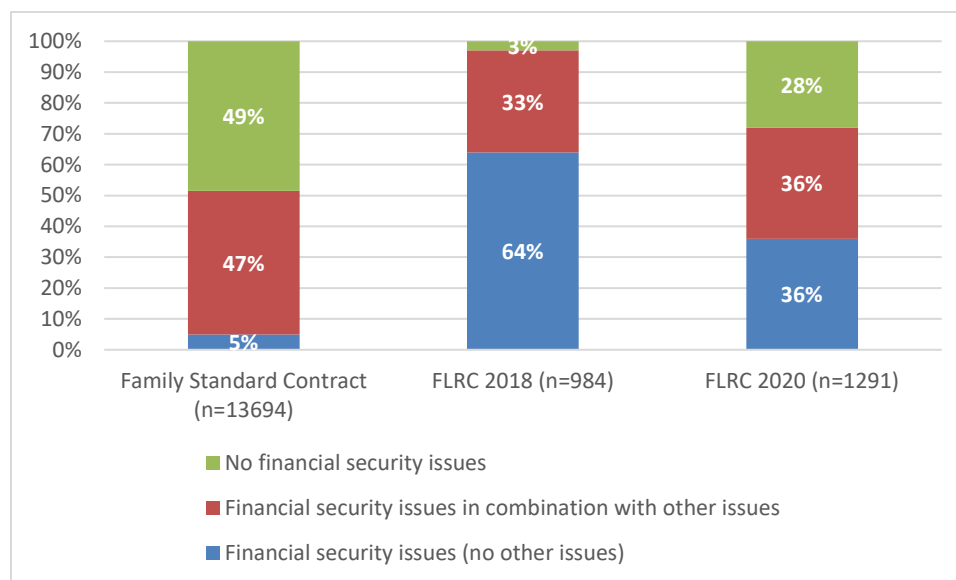
Figure 10: Financial eligibility of FLRC clients (LABC CIS data)¹⁸



¹⁸ The data presented include only FLRCs issued before April 1, 2021 (when the level of household income for eligibility reverted to being the same as for Family Standard Contracts until it changed on May 24, 2022 to match the September 25, 2020 to March 31, 2020 eligible income levels).

The other impact of the 2020 coverage expansion to issues beyond financial security (child support, spousal, support, preservation and/or division of property) is reflected in **Figure 11**. While the FLRC 2020 covers a smaller proportion of financial security issues (including in combination with other issues) than did the FLRC 2018, the FLRC 2020 still covers more matters that only contain a financial security issue than Family Standard Contracts so it continues to address that need. In addition, the FLRC 2020 now also provides assistance to clients who do not have a financial security issue, which constituted 28% of the FLRC 2020 contracts.

Figure 11: Issues covered by type of contract (LABC CIS data)¹⁹



Through this coverage expansion, the FLRC is reducing a gap in legal supports and access to justice, as was noted by some counsel in interviews. They consider the FLRC to provide an intermediate approach between full representation and family duty counsel that benefits clients as they receive advice and guidance while having continuity of counsel rather than a different duty counsel at each court appearance.

¹⁹ Issues are captured in LABC CIS at intake and from invoices. **Figure 11** is based on issues identified at intake.

Covering disbursements

By covering disbursements, the FLRC contributes to access to justice as disbursement costs can be an impediment to clients moving forward with their legal matter. Administrative data show that the average amount of disbursements covered by an FLRC contract is \$104 with a median of \$25. However, the client survey results are unable to demonstrate that the FLRC is making a substantial contribution to access to justice by covering disbursements. The majority of clients reported that their FLRC did not have any disbursements (54%) and just over one-third (34%) did not know. Therefore, only about one-tenth (n=25, 12%) of surveyed clients reported having disbursements covered by the FLRC. When asked what they would have done had disbursements not been covered by the FLRC, most indicated that they would have borrowed money from family or friends to pay for the disbursements (n=13) or would have paid for it on their own (n=5). A few indicated that they could not have paid the disbursement (n=5).

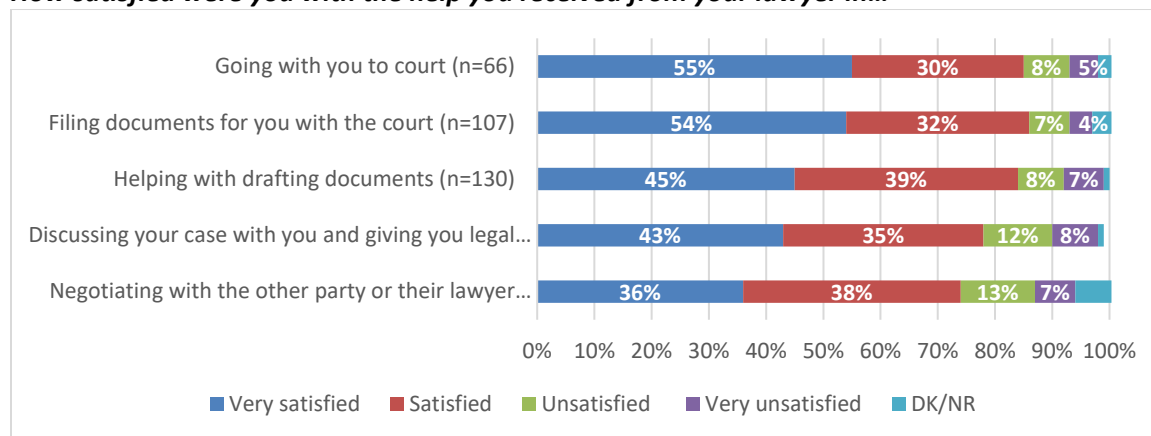
Client experience with the FLRC

Another measure of access to justice is the client experience with a program intended to increase their access to legal services. As will be shown below, clients reported being satisfied with the services received and found the FLRC to be helpful to them in terms of improving their understanding of their legal issues, options, and the court process, as well as preparing them for next steps.

The majority of clients (three-quarters or more) reported that they were satisfied or very satisfied with the services they received, as shown in Figure 12. Clients were most satisfied with assistance that involved either court attendance or filing court documents, with the majority reporting they were very satisfied.

Figure 12: Client satisfaction with services received (Client survey)²⁰ (n=217)

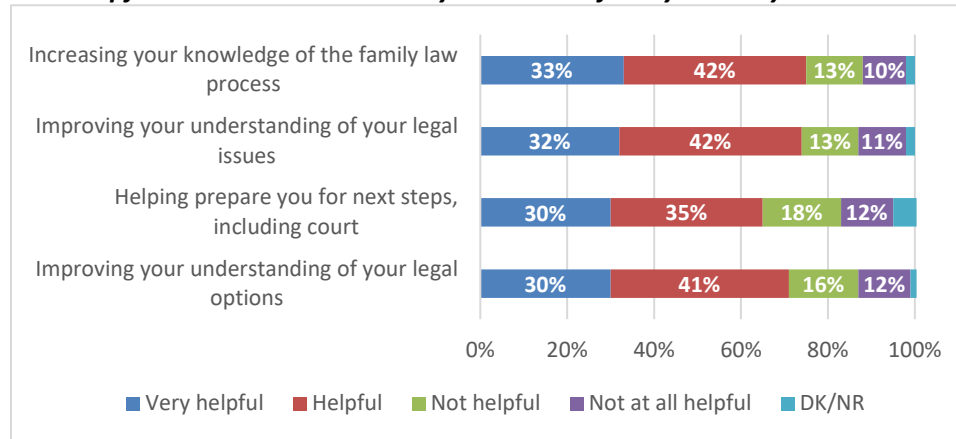
How satisfied were you with the help you received from your lawyer in...



²⁰ The sub-questions were asked only of clients who reported receiving those services and the various n-sizes are reported in Figure 12. The DK/NR percentages are not included in the figure due to lack of space, but ranged from 1% to 7%.

The majority of clients who had received services from their lawyer under an FLRC also considered the services to be helpful across several dimensions. The areas where the services were most helpful involved improving their knowledge or understanding of the family law process, their legal issues, and their legal options. See Figure 13.

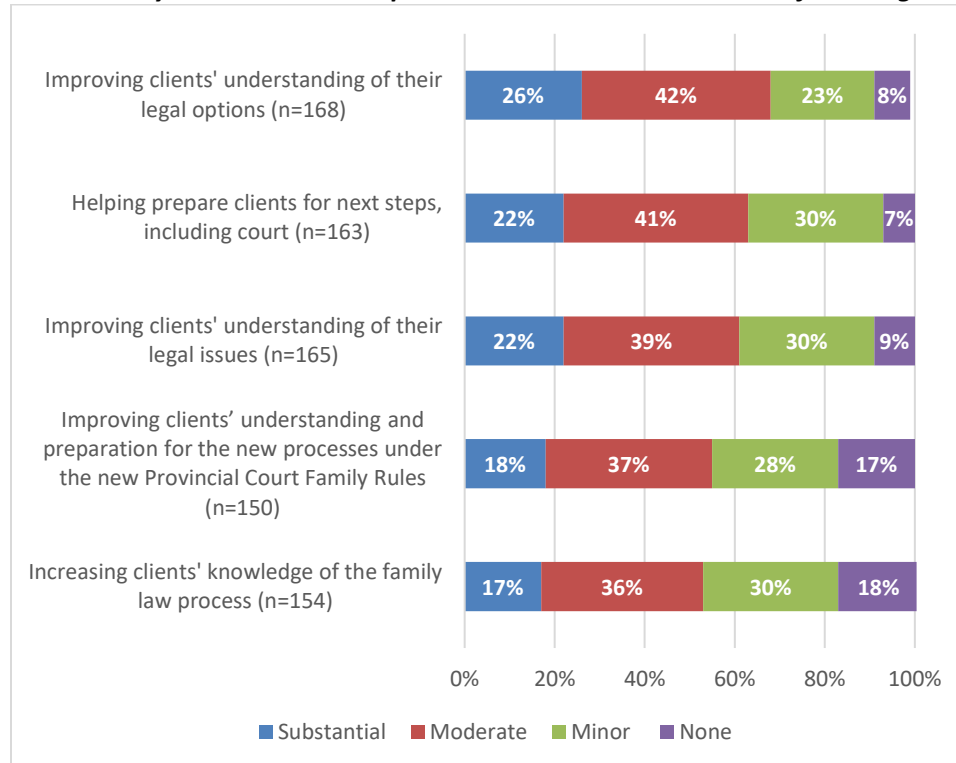
Figure 13: Helpfulness of services received (Client survey)²¹ (n=217)
How helpful were the services that you received from your lawyer in...



²¹ The DK/NR percentages ranged from 1% to 6%.

Most counsel reported that the FLRC had a substantial or moderate impact on the same areas that clients found to be helpful in Figure 13. However, when comparing Figure 13 and Figure 14, the positive ratings differ, with clients finding the helpfulness of services received to be most helpful for increasing their knowledge of the family law process and improving their understanding of their legal issues, while counsel considered the FLRC less effective in those areas (albeit a majority still thought the FLRC had at least a moderate impact). The difference could be due to the high value clients may place on any gain in knowledge or understanding, while counsel may be focussed more on what they think clients need to know in those areas (i.e., their bar for improving understanding is higher).

Figure 14: Impact of FLRC on client understanding (Counsel survey)²²
How would you describe the impact that the FLRC has had in the following area?



When clients were asked about what they liked the most about the services they received, the most frequent comments related to having their legal questions answered and receiving the legal advice that they needed (n=54, 25%). This was often tied to reducing the feeling of being confused or overwhelmed by the process.

“My lawyer walked me [through] what I needed to do and when so I would have been able to represent myself if we went to court. Without her I would have been so overwhelmed and I don't think I could have done it without her.”

²² All lawyers were asked this question whether or not they have accepted a FLRC. Those who responded DK/NR are excluded from the figure. The DK/NR percentages ranged from 15% to 22%.

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“While she was working and assisting with documents and a strategy to move forward, she was great. I was feeling very over my head and confused in all the documents, exhibits, affidavits.”

“I had an amazing lawyer who went out of her way to help me. She had described every inch of my case to me and advised me of my options. I'm extremely grateful. Liked that it was very fast and efficient, and lawyer was friendly.”

“[I got] insight into how the process works, what steps I needed to take, what my options are.”

“My lawyer helped me prepare for the next steps, while advising me in areas that helped me to avoid [potential pitfalls].”

The fact of having a lawyer assigned to them was the best part of the FLRC for several clients (n=35, 16%). These clients often noted that they were unlikely to have had counsel without the FLRC.

“I like the fact that I have a lawyer. I would not have a lawyer if it weren't for these services.”

“I am so very thankful for the help I received. What I liked most was knowing I had the help and could still focus on my daughter and having someone who genuinely cared, helping me.”

“I needed legal support for free or extremely low cost as a disabled [person] who is unable to work.”

Table 13: Clients' most favourite aspect of the services under the FLRC (Client survey)

What did you like the most about the services you received under the Family Limited Representation Contract?	Client respondents who received services under an FLRC (n=217)
Legal questions answered/received legal advice needed	25%
I was able to have a lawyer assigned to my case/start the process	16%
Service was quick/easy	8%
Reduced stress/increased confidence from having this legal support	7%
Good relationship with lawyer	5%
Helped reach desired/good resolution	4%
Assistance with filing/filling out documents	4%
Service was affordable	4%
Nothing/negative comments	10%
Other	1%
No comments	34%
DK / NR	1%
Note: Respondents could provide more than one answer; totals may sum to more than 100%.	

When asked what they liked least about the services they received under the FLRC, clients most often mentioned that the limitations of the FLRC (service stop date, number of hours) did not enable them to resolve the matter (n=66, 30%).

“That it was so limited not enough time to complete even just one task to get me any closer to a resolution left me hanging not knowing how to move forward.”

“The services allocated are very limited and thus I felt rushed and remain unclear if further resolution could have been achieved with more representation time.”

“Financial disclosure took a lot of time and hours away from my contract.”

“Not enough time given out for more complicated cases and for safety and protection of children especially when a protection order is in the mix.”

“It expired pretty quickly so if I need to go to court, I would not have representation and I find that scary and overwhelming and likely will not go.”

“There was only enough coverage to explain my options and prepare my paperwork for filing, nothing more. Had I known this ahead of time I would have done all the paperwork myself and only consulted for advice.”

Just over one-fifth of clients (n=48) reported that the service from the lawyer was their least favourite aspect of the services received.

“I had a lawyer that didn't spend time to help me understand my options. She didn't reply to my emails. I didn't know what my rights were when I went to retrieve my belongings. I wish I had borrowed money from family to hire a lawyer.”

“Terrible lawyer that made me feel horrible. Weeks, sometimes months between contact. Felt like a second class citizen!”

“Not enough lawyers willing to participate. First lawyer contract sent to wouldn't even return my phone calls but ignored me totally and forced me to apply for a second lawyer. Then the limited amount of time wasn't even enough to finish preparing the documents I needed to file to respond.”

“The lack of involvement and legal support. I was still left to do everything myself and felt alone in the courthouse.”

Table 14: Clients’ least favourite aspect of the services under the FLRC (Client survey)

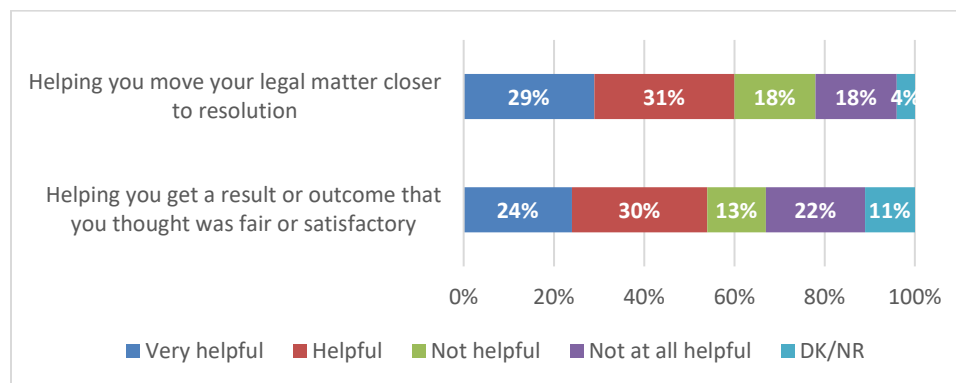
What did you like the least about the services you received under the Family Limited Representation Contract?	Client respondents who received services under an FLRC (n=217)
Time/service was too limited/not enough to reach any resolution	30%
Service from lawyer was not helpful/supportive/available	22%
Lawyer was not friendly/understanding and/or client felt left out	10%
Time limit and/or services available were unclear	7%
Delays in process (i.e., pandemic, technology, legal issues)	4%
The resolution/outcome of the case	2%
Terms of eligibility for the service	2%
All of it/generally negative experience	1%
Nothing negative/was satisfied	2%
Other	1%
No comments	38%
DK / NR	1%

Note: Respondents could provide more than one answer; totals may sum to more than 100%.

Move matter closer to resolution

In terms of the ability of the FLRC to assist clients with resolutions, the survey results (client and counsel) were less positive than they were with the FLRC’s ability to improve clients’ knowledge and understanding of the process and their legal issues (see Figure 13 and Figure 14), although a majority still believe that the FLRC has assisted them. As Figure 15 shows, a majority of clients consider the services they received to be helpful in moving their matter to resolution and getting a satisfactory result. However, approximately one-third do not consider the FLRC services they received to be helpful in assisting them resolve their case or helping them get a result or outcome that they considered fair or satisfactory. These findings align with the lawyer comments that some clients feel, and counsel concur, that the clients may feel “abandoned” when the service period ends or number of available hours are used.

Figure 15: FLRC assistance with resolving case (Client survey) (n=217)
How helpful were the services that you received from your lawyer in...



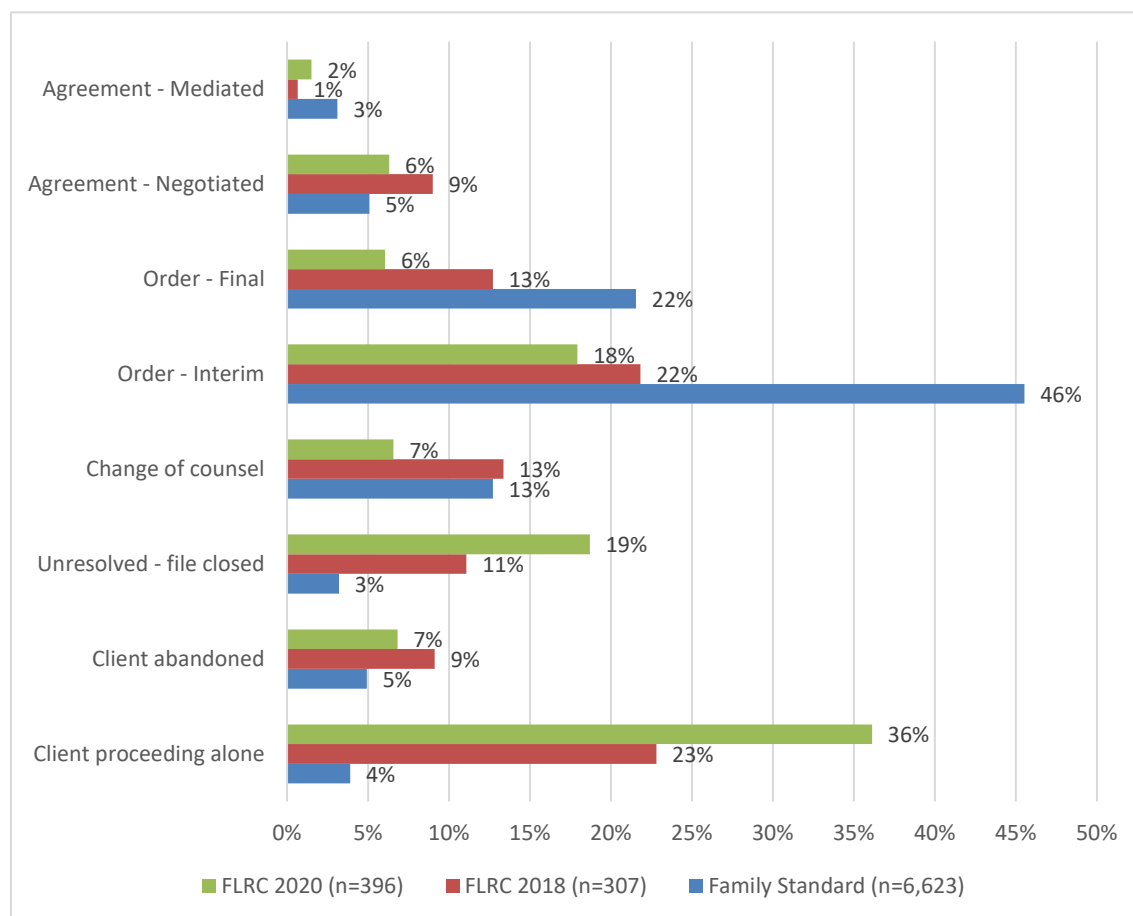
Counsel survey results aligned with the client survey findings as a majority (54%) of those who could provide a response reported that the FLRC has had a substantial (12%) or moderate (42%) impact on

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helping clients move their matter closer to resolution. Of course, this means that almost half (46%) consider the FLRC to have a minor or no impact in this area.

Considering the outcomes of FLRCs in the administrative data, both the FLRC’s contribution to access to justice and the concerns raised by counsel and clients are evident. A number of FLRCs result in negotiated agreements or final orders, and about twice as many result in interim orders. This result is similar to the outcomes for Family Standard Contracts (22% result in final orders compared to 46% with interim orders). Therefore, the higher proportion of interim orders may be more a reflection of the nature of family cases. That being said, the FLRC has a much higher proportion of outcomes where the client is proceeding alone than do Family Standard Contracts. This is not entirely unexpected given the nature of the FLRC, but the data show an increase in the proportion of FLRCs where the client is proceeding alone (36% for the FLRC 2020 compared to 23% of the FLRC 2018) and a reduction in the proportion with final orders (6% for the FLRC 2020 compared to 13% for the FLRC 2018). These results appear to reflect the reduced number of hours and shorter service period of the FLRC 2020, and align with comments of counsel (survey and interviews) that with some additional hours and/or a longer service period, they might have achieved a better result for clients.

Figure 16: Concluded contract outcomes (LABC CIS)²³

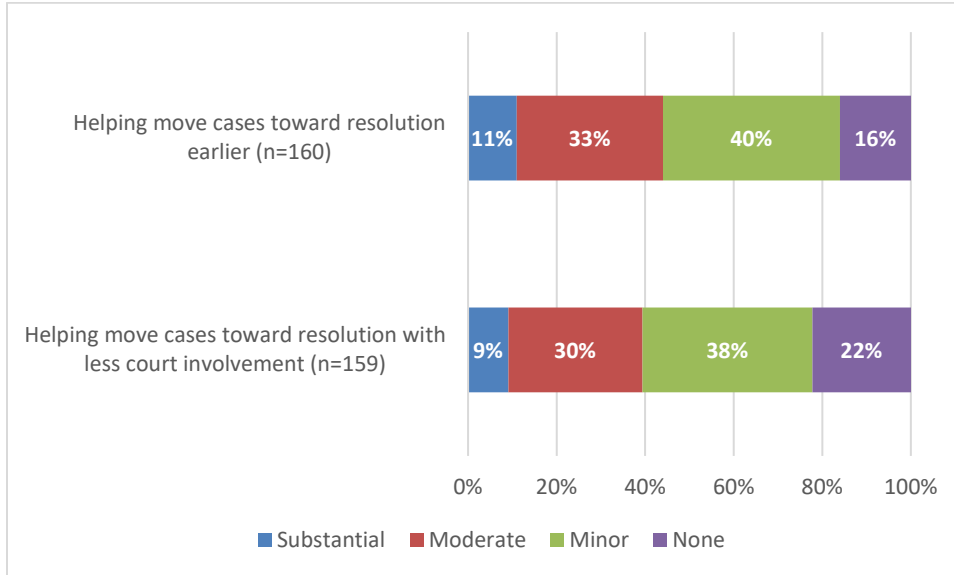


²³ A concluded contract is a contract that does not have an outcome of *unresolved – file continuing* or *N/A*.

Efficiency of the court process

The FLRC is not considered by counsel to have much impact on the efficiency of the family law process. Most counsel surveyed considered it to have a minor or no impact on moving cases toward resolution earlier or with less court involvement.

Figure 17: Impact of the FLRC on efficiency of family law process (Counsel survey)
How would you describe the impact that the FLRC has had in the following areas?



Overall level of support for the FLRC and suggested improvements

Based on survey and interview results, there is generally support for the FLRC with the desire for some changes or improvements.

The client experience outlined above shows that clients have generally been satisfied with the services received and found them to be helpful. Clients who offered suggestions for improvement (n=107) most often mentioned:

- The need for more time from counsel and/or more case-specific services (n=46);
- The importance of assigning lawyers who have availability/willingness/knowledge to help (n=31); and
- A better explanation of the service in terms of the amount of time available and what amount of services they might expect (n=21).

Three-quarters of counsel believe that LABC should continue to offer the FLRC either as is (31%) or with modifications (44%). Those who believe that it should no longer be offered (16%) primarily expressed concerns that the FLRC does not adequately assist clients given the limited hours available.²⁴ Both interviewees and survey respondents identified three main ways to improve the FLRC:

- Provide more hours, particularly for preparation time (42% of survey respondents);
- Extend service stop date (22%); and
- Be flexible in how hours are used (no breakdown between preparation and court time) (7%).

Other suggested improvements mentioned by between 2% and 5% of counsel survey respondents included: longer bill by dates; better explanation of limited representation to client by LABC; make conversion to standard contracts easier; expand client eligibility for the FLRC, particularly financial eligibility; and allow the three hours of court time to also cover mediation/negotiation activities. In interviews, the preparation time of eight hours was considered insufficient to provide much in the way of mediation assistance.

²⁴ The remaining respondents did not provide an opinion (9%).

5.0 Conclusion and recommendations

Based on analysis of the surveys, interviews, and administrative data, the following conclusions can be made regarding the main evaluation questions.

5.1 Implementation

The evaluation found that the FLRC has been implemented and delivered as intended since its launch on October 30, 2018. This is also the case for the changes to the FLRC in September 2020, however, some of those changes are considered by council to have negatively impacted the FLRC. The key findings are highlighted below.

- **The FLRC is being increasingly used and used consistently across the legal aid regions.** Since its launch, the FLRC has constituted 14% of legal aid contracts and its use has increased during the time period when the financial eligibility was expanded to include individuals with a household income up to \$1,000 per month higher than for Family Standard Contracts. All legal aid regions have issued FLRCs at approximately the same proportion of their total contracts, reflecting a consistent use of the FLRC.
- **Counsel, clients, and courts generally understand the limited nature of the FLRC.** LABC has undertaken efforts to inform clients and manage expectations, including short documents to explain the contract and a sample retainer agreement that counsel can use. Most lawyers either used the LABC sample agreement or based their own retainer agreement on it. The clarity of the scope for clients could be improved in some areas — in particular, the limited length of the FLRC (currently 120 days) and the limited nature of court appearances in which counsel can appear. Counsel also noted that clients do not have the experience to understand the limited amount of tasks that can be completed within the available number of hours.

Recommendation 1: LABC should review its materials and other communications provided to clients for potential improvements. As one example, the materials could mention the service period of 120 days and include some context so that clients have a better understanding of what can be accomplished within the available hours.

- **The services provided to clients align with what is expected for the FLRC.** Based on both counsel and client survey results, the types of services most often provided under the FLRC include legal advice, assistance with documents (drafting, reviewing, filing), coaching, and assistance with negotiation.
- **The pandemic impacted service delivery but negative impacts were largely outweighed by positive ones.** Clients responded generally positively to the use of audio or videoconference as it was more convenient for them and many noted that they were more comfortable/less anxious than they would have been in person. Almost 40% of counsel noted that the pandemic impacts meant that it took longer to complete services, which could create issues with the 120 day service stop date.

- **The timeliness of issuing FLRCs has decreased since September 2020.** The lengthening time between a client's interview date and contract date is potentially caused by the pandemic, but the evaluation does not have evidence to support that conclusion. Given the increase in the time for issuing for FLRCs issued after September 2020, which rose from an average of 22 days to 30 days, this is an area of potential improvement.

Recommendation 2: LABC should review its processes to determine whether the timeliness of issuing FLRCs can be improved to earlier levels.

- **The proportion of FLRCs receiving extensions has increased since September 2020, although counsel are concerned that the current approach to these requests is still too inflexible.** As the FLRC is intended to provide limited services, there is an expectation that counsel should not require extensions to the service stop date, which is reflected in the small proportion receiving extensions. There has been an increase in the proportion of FLRCs receiving an extension since September 2020 when the shorter 120-day service period took effect (from 2% to 6%). This indicates a greater willingness on the part of LABC to grant extension requests for FLRCs issued with the shorter service period. However, LABC does not track extension requests so the full picture that would include the number of extensions that were requested but denied is not available in the administrative data. In addition, counsel desire more flexibility on the part of LABC in handling extension requests as, on occasion, a short extension could improve client outcomes.

Recommendation 3: LABC should consider tracking extension requests in order to have a more complete understanding of the number of requests made.

Recommendation 4: LABC should review its processes to determine whether there can be more flexibility in its approach to extension requests when the benefits to the client are clearly demonstrated and the need for the extension is beyond the counsel and client control (e.g., court, other party).

- **FLRCs with a change of counsel have declined substantially since the September 2020, as intended.** As of September 25, 2020, the FLRC is no longer eligible for a change of counsel unless there are exceptional circumstances. This change has resulted in the intended decline of FLRCs with a change of counsel (from 9% to 4%).
- **Changes to the FLRC that increased its coverage and scope in September 2020 have been positively received while those that limit the hours or service period are considered too restrictive and to negatively impact quality of services and counsels' willingness to continue to accept FLRCs.** Most counsel agree with the increased scope of family law issues covered (i.e., no longer restricted to only financial security issues) and the inclusion of brief uncontested hearings as covered court appearances. Conversely, the majority of counsel disagree with the reduction in the available hours and the service period (from service start date to service stop date). Counsel considered the number of hours to be insufficient to adequately assist clients and the allocation restrictions (up to eight hours preparation time with up to three hours for court attendance) to be too inflexible. The 120 stop date period was considered too short and not to reflect the reality of the family justice system timelines. According to counsel, the coverage changes have negatively impacted their willingness to accept FLRCs. Clients also considered the

limited number of hours to be their least favourite aspect of the FLRC service, noting that it was not enough time to enable them to resolve their matter or move it closer to resolution.

Recommendation 5: LABC should consider changes to the FLRC that will allow more flexibility in how the current hours are used and, if there is financial capacity to do so, to increase the number of available hours.

Recommendation 6: LABC should consider extending the service stop date to at least six months or, at a minimum, consider a more flexible approach to extension requests as noted in Recommendation 4.

- **The costs of FLRCs by type of outcome indicate that they provide value for money.** The average cost of an FLRC that resulted in either an agreement/final order or an interim order was substantially less than a Family Standard Contract.

5.2 Outcomes

The evaluation found that the FLRC has made a **contribution to access to justice** in several ways:

- **The FLRC provides legal services to lower income individuals who would not otherwise qualify for legal aid.** Between the October 30, 2018 launch and August 31, 2021, 2,100 unique individuals received services under the FLRC and a total of 2,275 contracts were issued. Extrapolating from client survey results that almost two-fifths of clients would have represented themselves in court with another one tenth abandoning their case, this means that about 810 clients would have tried to represent themselves had they not received an FLRC and 210 would have abandoned their cases. Over two-thirds of counsel also believe that the FLRC has improved access to justice by providing legal services to those who would not have qualified for legal aid.
- **With its expanded legal aid eligibility, the FLRC has further increased access to justice by covering more individuals.** By increasing household income limits to up to \$1,000 more than for the Family Standard Family Contract and increasing the types of issues covered, the FLRC now provides services to a wider range of individuals. The FLRC also is considered to provide an intermediate approach between full representation and family duty counsel which benefits clients from having continuity of counsel.
- **The client experience with the FLRC was very positive overall.** Clients reported being satisfied with the services received and found the FLRC to be helpful to them in terms of improving their understanding of their legal issues, options, and the court process, as well as preparing them for next steps. Most counsel concurred that the FLRC has had a substantial or moderate impact in these areas. However, as noted above, clients were critical of the limited service period and number of hours.

The FLRC is considered to have a moderate impact on moving clients' matters close to resolution.

While both clients and counsel were less positive about the FLRCs' impact on moving the matter closer to resolution, there was still the belief by the majority that there was some (albeit potentially moderate) impact. LABC administrative data shows that while a number of FLRCs result in agreements, final orders, or interim orders, there is a higher proportion of outcomes where the client is proceeding alone compared to Family Standard Contracts. This might be expected, but the trend between the FLRC 2018

to the FLRC 2020 is more clients proceeding alone and fewer final and interim orders. These results appear to align with comments of counsel (survey and interviews) that with some additional hours and/or a longer service period, they might have achieved a better result for clients.

The evaluation did not find that the FLRC has contributed to the efficiency of the court process in terms of moving matters to resolution earlier or using less court time. Related to moving the matter closer to resolution, the FLRC is also not considered by counsel to have much impact on the efficiency of the family law process. Most counsel surveyed considered it to have a minor or no impact on moving cases toward resolution earlier or with less court involvement. However, counsel may not be comparing the results of the FLRC to the impact of an unrepresented individual on the court process.

Overall, the evaluation found that there is generally support for the FLRC by clients and counsel with the desire for some changes or improvements. The changes most often raised, and based on the totality of the evaluation evidence would potentially have the most impact on improving clients' outcomes, would be increasing the flexibility in how available hours are used, the number of hours available, and service stop date.

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Appendix A – Evaluation matrix

Evaluation of the Family Limited Representation Contract

Evaluation matrix for the Family Limited Representation Contract (FLRC)		
Questions	Indicators	Data sources
1. To what extent has the FLRC operated as expected?	<ul style="list-style-type: none"> • Number of family applications that receive Family Standard (FS) contract, FLRC, and neither (not provided coverage) over time and by region • Number of FLRCs issued (and as percent of LABC family contracts) over time (focusing on periods where eligibility or coverage changed) and by region • Number of unique counsel accepting FLRCs over time (focusing on periods where eligibility or coverage changed) • Legal issues covered by FLRCs over time (focusing on periods where eligibility or coverage changed) • Number and percent of FLRCs receiving extensions • Number and percent of FLRCs with changes of counsel • Cost per FLRC (minimum, median, mean, maximum) • Opinion of lawyers on implementation issues and changes to FLRC (e.g., changes in eligibility, matters covered, services provided, and service stop dates; willingness to accept FLRCs and reasons why/why not) • Pandemic impacts on FLRC, such as methods used for service delivery (in person, virtual) • Lawyer and client awareness and understanding of FLRC and its scope • Suggested improvements to FLRCs (by lawyers and clients) 	<ul style="list-style-type: none"> • LABC CIS database • Lawyer survey • Interviews with lawyers • Client survey
2. To what extent has FLRC contributed to access to justice?	<ul style="list-style-type: none"> • Number of clients served under FLRC • Client profile (demographic and financial data) • More applicants accepted for coverage over time (focusing on periods where eligibility or coverage changed) <ul style="list-style-type: none"> ○ Number and percent of LABC family applicants who do not meet eligibility guidelines for family standard representation contracts but received FLRC • Types of coverage available through FLRC <ul style="list-style-type: none"> ○ Number and percent of applicants receiving FLRC by reason over time (to capture changes in eligibility) • Disbursements covered under FLRC (by types of disbursements) • Timeliness of service (key dates that are available in CIS, such as date application made, contract issued) • Types of services provided by counsel • Comparison to services provided by family duty counsel • Opinion of lawyers on contribution of FLRC to access to justice (e.g., whether fewer self-represented litigants in types of cases covered by FLRC, impact of service expansion) • Opinion of lawyers on the extent to which the FLRC increases clients knowledge of the legal process • Opinion of lawyers on the extent to which FLRC helps clients prepare for next steps, including (potentially) court • Extent to which clients believe their understanding of their legal issues are improved • Extent to which clients believe their knowledge of family law and the legal process is increased • Extent to which clients feel more informed about their legal options • Extent to which clients feel prepared for next steps, including (potentially) court • Client reports on services received • Client satisfaction with services received • Client options if FLRC was not available (e.g., hire lawyer, self-represent, abandon case, borrow money from family/friends to hire a lawyer, look for pro bono/free resources) 	<ul style="list-style-type: none"> • LABC CIS database • Lawyer survey • Interviews with lawyers • Client survey

Evaluation of the Family Limited Representation Contract

Evaluation matrix for the Family Limited Representation Contract (FLRC)		
Questions	Indicators	Data sources
3. Has the FLRC service helped narrow issues or resolve aspects of the case so that the matter is closer to resolution?	<ul style="list-style-type: none"> • Number and percent of closed FLRCs by type of outcome • Number of days for FLRCs from contract issue date to closed date (by type of outcome) • Opinion of lawyers on whether the FLRC helps move legal issues toward resolution (narrow or resolve issues) • Opinion of lawyers on whether the FLRC helps move cases toward resolution earlier or with less court involvement • Opinion of lawyers on barriers to FLRCs being able to move legal issues toward resolution • Opinion of clients on whether FLRC helped them move legal issues toward resolution (narrow or resolve some of their issues) • Client satisfaction with outcome of matter 	<ul style="list-style-type: none"> • LABC CIS database • Lawyer surveys • Interviews with lawyers • Client survey
4. Has the FLRC service led to greater efficiency for the court process?	<ul style="list-style-type: none"> • Opinion of lawyers on whether the FLRC has increased efficiency in the court process (fewer cases in court, less court time taken by cases that do go to court) • Opinion of lawyers on whether changes in the FLRC helped manage pandemic impacts on family justice system (e.g., connection with duty counsel more difficult so coverage expansion filled a gap) • Opinion of lawyers on impact of FLRCs in light of new Provincial Court Family Rules (e.g., preparation of clients for first court appearance) 	<ul style="list-style-type: none"> • Lawyer surveys • Interviews with lawyers

Appendix B – Instruments

Evaluation of the Family Limited Representation Contract

Client Survey

1. The Family Limited Representation Contract provides a limited number of hours for a lawyer to help a client who otherwise would not have qualified for a family law legal aid contract.

Were you aware that you received services under a Family Limited Representation Contract?

- ₁ Yes
₀ No
₈ Not sure

2. When clients are approved for a Family Limited Representation Contract, they are given a document that explains this type of contract (“What Can I Expect If My Lawyer is Given a Family Limited Representation Contract”). Were you given this document?

- ₁ Yes
₀ No
₈ Not sure

3. Have you talked to your lawyer yet?

- ₁ Yes
₀ No (SKIP TO Q23)
₈ Not sure (SKIP TO Q23)

4. Did your lawyer **give you a document** that listed what services they would or would not be providing you under the Family Limited Representation Contract?

- ₁ Yes
₀ No
₈ Not sure

5. Did your lawyer **explain to you** what services they would or would not be providing you under the Family Limited Representation Contract?

- ₁ Yes
₀ No
₈ Not sure

6. Have you received any services from your lawyer?

- ₁ Yes
- ₀ No (SKIP TO Q23)
- ₈ Not sure (SKIP TO Q23)

7. How clear was your understanding of the type of services that you could expect under the Family Limited Representation Contract?

Type of services	Very clear	Clear	Unclear	Very unclear	Don't know
a. Your lawyer could discuss your case with you and give you legal advice or coaching.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
b. Your lawyer could help you draft certain documents (such as letters, court documents, financial statements, separation agreements).	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
c. Your lawyer could give you mediation support.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
d. (Only clients with FLRC 2018) Your lawyer could go to court with you for case conferences but not for other court appearances.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
e. (Only clients with FLRC 2020) Your lawyer could go with you to short, simple court appearances but not long, complex appearances or trials.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
f. The number of hours of help that your lawyer could give you was limited.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
g. The help that your lawyer could give you was limited by length of time (months).	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
h. (Only clients with FLRC 2018) The help that your lawyer could give you was limited to issues related to child support, spousal support, preservation and/or division of family property.	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈

Evaluation of the Family Limited Representation Contract

You may have received more than one Family Limited Representation Contract since October 30, 2018. If you have, please answer based on your experience with your most recent Family Limited Representation Contract.

8. Thinking of your most recent experience with a Family Limited Representation Contract, what type of help did your lawyer give you? Online version: Please check all that apply. Phone version: Please let me know which of the following kinds of help you received from your lawyer. [Interviewer: Read list]

- ₀₁ Discussed your case with you and gave you legal advice or coaching
- ₀₂ Helped with drafting documents
- ₀₃ Filed documents for you with the court
- ₀₄ Negotiated with the other party or their lawyer
- ₀₅ Went with you to court
- ₆₆ Other (please specify)
- ₆₇ Other (please specify)
- ₈₈ Don't know

9. Did you receive legal services under the Family Limited Representation Contract during the COVID-19 pandemic (after March 15, 2020 to present)?

- ₁ Yes
- ₀ No (GO TO Q14)
- ₈ Not sure (GO TO Q14)

10. (If yes to Q9) During the COVID-19 pandemic (after March 15, 2020 to present), how did your lawyer meet with you? Online version: Choose the one that most applies. Phone version: Which of the following applied in your situation? [Interviewer: Read list]

- ₀₁ My lawyer mostly met with me by telephone or videoconference.
- ₀₂ My lawyer sometimes met with me by telephone or videoconference.
- ₀₃ My lawyer mostly met with me in person.
- ₆₆ Other (please specify)
- ₈₈ Don't know

11. (If 01 or 02 or 66 to Q10) Overall, how was the experience of meeting with your lawyer by telephone or videoconference?

- ₅ Very positive
- ₄ Mostly positive
- ₃ Fine, neither positive nor negative
- ₂ Mostly negative
- ₁ Very negative
- ₀ Never met by telephone or videoconference (GO TO Q14)

12. (If 01 or 02 or 66 to Q10) What, if anything, about the experience of meeting with your lawyer by telephone or videoconference was positive? Online version: Please check all that apply. Phone version: I'm going to read some statements; let me know if they describe your experience of meeting with your lawyer by telephone or videoconference. [Interviewer: Read list]

- ₀₁ I was able to have a positive relationship with my lawyer.
- ₀₂ It affected the quality of services that I received in a positive way.
 - i. (if select 02 to Q12) In what ways was the quality of services affected?
- ₀₃ I did not have to take time off work to go to meetings with my lawyer.
- ₀₄ I did not have to travel to meet with my lawyer.
- ₀₅ I did not have to pay for parking or other expenses (e.g., child care) to attend meetings with my lawyer.
- ₀₆ I did not have to worry about getting COVID-19 from going to my lawyer's office.
- ₆₆ Other (please specify)
- ₀₀ Nothing was positive.
- ₈₈ Don't know

13. (If 01 or 02 or 66 to Q10) What, if anything, about the experience of meeting with your lawyer by telephone or videoconference was negative? Online version: Please check all that apply. Phone version: I'm going to read some statements; let me know if they describe your experience of meeting with your lawyer by telephone or videoconference. [Interviewer: Read list]

- ₀₁ It affected my relationship with my lawyer in a negative way.
- ₀₂ It affected the quality of services that I received in a negative way.
 - ii. (if select 02 to Q13) In what ways was the quality of services affected?
- ₀₃ Scheduling meetings with my lawyer was difficult/took too long.
- ₀₄ It was hard to share documents with my lawyer.
- ₀₅ I do not know how to do videoconferences.
- ₀₆ I do not have good cell phone reception or Internet access.
- ₀₇ I can't afford a cell phone or Internet service.
- ₀₈ I would have preferred to meet in person.
- ₆₆ Other (please specify)
- ₀₀ Nothing was negative.
- ₈₈ Don't know

Evaluation of the Family Limited Representation Contract

14. How satisfied were you with the help you received from your lawyer in each of these areas under the Family Limited Representation Contract? (NOTE: Clients will only receive the below sub-parts for the services that they indicated receiving in Q8) Phone version: I am going to read you a list of services that you received from your lawyer under the Family Limited Representation Contract. Please tell me how satisfied you were with the help you received from your lawyer when...

	Very satisfied	Satisfied	Unsatisfied	Very unsatisfied	Don't know
a. Discussing your case with you and giving you legal advice or coaching	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
b. Helping with drafting documents	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
c. Filing documents for you with the court	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
d. Negotiating with the other party or their lawyer	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
e. Going with you to court	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
f. Other (please specify)	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
g. Other (please specify)	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8

15. How helpful were the services that you received from your lawyer in the following areas? Online: Thinking of the services that you received from your lawyer, how helpful was your lawyer in...

	Very helpful	Helpful	Not helpful	Not at all helpful	Don't know
a. Increasing your knowledge of the family law process.....	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
b. Helping prepare you for next steps, including court	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
c. Improving your understanding of your legal issues	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
d. Improving your understanding of your legal options.....	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
e. Helping you move your legal matter closer to resolution	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
f. Helping you get a result or outcome in your legal matter that you thought was fair or satisfactory	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8

16. Did you have disbursements (such as fees for filing court documents, service of court documents, or land title or other search fees) paid for under the Family Limited Representation Contract?

- ₁ Yes
- ₀ There were no disbursements under my Family Limited Representation Contract
- ₈ Don't know

17. (If yes to Q16) If you had not had your disbursements (such as fees for filing court documents, service of court documents, or land title or other search fees) covered under the Family Limited Representation Contract, what would you have done? What is the most likely step that you would have taken? (note to programmer: single response)

- ₀₁ I would have paid for the disbursements on my own.
- ₀₂ I would have borrowed money from family or friends to pay for the disbursements.
- ₀₃ I could not have paid for the disbursements and would have abandoned my case or done nothing further.
- ₀₆ I could not have paid for the disbursements and would have proceeded without having to pay for that disbursement, if possible.
- ₆₆ Other (please specify)
- ₈₈ Don't know

18. If you had not received the legal services that you did from the lawyer under a Family Limited Representation Contract, what would you have done? What is the most likely step that you would have taken?

- ₀₁ I would have hired a lawyer and paid for their services entirely on my own.
- ₀₂ I would have borrowed money from family or friends to hire a lawyer.
- ₀₃ I would have looked for other pro bono (free or subsidized) legal help.
- ₀₄ I would have represented myself in court.
- ₀₅ I would have abandoned my case or done nothing further.
- ₆₆ Other (please specify)
- ₈₈ Don't know

19. What did you like the most about the services you received under the Family Limited Representation Contract? (open-end)

- ₀ No comments

20. What did you like the least about the services you received under the Family Limited Representation Contract? (open-end)

No comments

21. Do you have any suggestions for improving the services clients receive under the Family Limited Representation Contract? (open-end)

No suggestions

22. Please share any other feedback or comments that you have on the services that you received under the Family Limited Representation Contract. (open-end)

No comments

We have a few background questions to help us understand who the Family Limited Representation Contract is serving and won't be used to identify you in any way.

23. What is your age?

- ₁ 18-24 years old
- ₂ 25-34 years old
- ₃ 35-44 years old
- ₄ 45-54 years old
- ₅ 55-64 years old
- ₆ 65+ years old
- ₉ Prefer not to say

24. What is your gender identity?

- ₀₁ Man
- ₀₂ Woman
- ₀₃ Non-binary
- ₀₄ Gender non-conforming
- ₀₅ Transgender
- ₀₆ Two-spirited
- ₆₆ Other (please specify)
- ₉₉ Prefer not to say

25. Do you identify as an Indigenous person?

- ₁ Yes
- ₀ No
- ₉ Prefer not to say

26. (If Yes to Q25) Which of the following do you identify as? Please indicate all that apply.

- ₀₁ First Nations
- ₀₂ Métis
- ₀₃ Inuit
- ₆₆ Other (please specify)
- ₉₉ Prefer not to say

27. What language do you speak most often at home?

- ₀₁ English
- ₀₂ French
- ₀₃ An Indigenous language
If select 3 – Please specify
- ₀₄ Arabic
- ₀₅ Cantonese
- ₀₆ Farsi
- ₀₇ Hindi
- ₀₈ Japanese
- ₀₉ Mandarin
- ₁₀ Punjabi
- ₁₁ Russian
- ₁₂ Spanish
- ₁₃ Tagalog
- ₁₄ Vietnamese
- ₆₆ Other (please specify)
- ₉₉ Prefer not to say

28. What is the highest level of education you have completed?

- ₁ No high school
- ₂ Some high school
- ₃ Graduated high school
- ₄ Post high school education
- ₉ Prefer not to say

29. In what area do you currently live?

- ₁ Metro Vancouver (not Surrey)/Sunshine Coast
- ₂ Surrey/Fraser Valley
- ₃ Rest of BC
- ₄ Outside of BC
- ₉ Prefer not to say

30. We appreciate your time participating in this survey. Would you like to be entered into the draw for a \$50 gift card from Tim Hortons?

- ₁ Yes
- ₀ No [END]

31. [If above is YES]

If drawn, would you prefer to receive the gift card by email or regular mail?

₁ Email

₂ Regular mail

32. [If above is EMAIL]

Please provide your email address:

33. [If above is REGULAR MAIL]

Please provide your full mailing address (Suite – Unit – Street – City – Province) :

34. [if above is REGULAR MAIL] Please provide the name that we should use for sending you the gift card.

Thank you for participating in the survey.

Evaluation of the Family Limited Representation Contract

Counsel Survey

1. Prior to today, were you aware of the Family Limited Representation Contract?
₁ Yes
₀ No
₉ No response

2. Have you provided family legal aid services under any of the following? Check all that apply.
₁ Family Standard Contract
₂ Family Limited Representation Contract
₃ Family Duty Counsel
₄ Family LawLINE

Questions 3-8 will be asked of respondents who answer 2 to Q2 (in combination or on its own).

3. What services do you typically provide clients under the Family Limited Representation Contracts? Please check all that apply.
₀₁ Coaching services
₀₂ Document drafting services
₀₃ Document review services
₀₄ Document filing (including filing pleadings, or submitting orders)
₀₅ Conducting searches (including Land Title or Personal Property Security Act)
₀₆ Consultation and advice services
₀₇ Negotiating with opposing party or opposing counsel
₀₈ Research and writing services
₀₉ Representation services (e.g., court appearances)
₆₆ Other (please specify) _____

4. Within the number of hours provided, are there any types of services that you wish were covered under the Family Limited Representation Contract that are not?
₁ Yes
 i. (If select 1 to Q4: What other services do you wish were covered?)
₀ No
₉ No response

Evaluation of the Family Limited Representation Contract

5. How has the COVID-19 pandemic impacted the services that you provided under the Family Limited Representation Contract? Please check all that apply.

- ₀₁ I provided more services remotely (telephone, videoconference).
- ₀₂ It affected the quality of services that I provided under the contract.
 - iii. (if select 02 to Q5) In what ways was the quality of services affected?
- ₀₃ It impacted my ability to create a positive client-counsel relationship.
- ₀₄ It required more of my time (in hours) to provide the same level of service as pre-COVID.
- ₀₅ It took longer to schedule client appointments.
- ₀₆ It took longer to schedule court appearances than it did pre-COVID.
- ₀₇ Overall, it took longer to complete the services (from contract issuance to completion) than it did pre-COVID.
- ₆₆ Other (please specify) _____
- ₀₀ None, no impacts
- ₈₈ Don't know

6. Please rate your experience with the Family Limited Representation Contract in the areas listed below.

	Rarely had issues/Very positive	Occasionally had issues/Generally positive	Regularly had issues/Generally negative	Often had issues/Very negative	Not applicable	Don't know
a. Clients' understanding the limits of the retainer	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
b. Court's understanding the limits of the retainer	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
c. Ability to get off of the record, if needed.....	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
d. Process to convert Family Limited Representation Contracts to Standard Representation Contracts when needed	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
e. Ability to provide meaningful assistance within allowed hours	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
f. Ability to provide meaningful assistance within allowed contract time duration (i.e., start and stop dates and bill by dates)	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈
g. Please list any other experiences that you have had and rate them (will give two lines).....	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₇	<input type="checkbox"/> ₈

7. Which do you use **most often** for your retainer agreement with your client?
Please select the most applicable response.

- ₀₁ Legal Aid BC's sample Family Services Limited Representation Retainer Agreement
₀₂ My own retainer agreement that I base on Legal Aid's sample agreement
₀₃ My own retainer agreement
₆₆ Other (please specify) _____

8. Do you have any comments or suggestions related to Legal Aid BC's sample Family Services Limited Representation Retainer Agreement?

- ₀ No comments or suggestions

Questions 9-11 will be asked of all respondents.

9. The Family Limited Representation Contract was described in Notices to Counsel, including how it has undergone several changes in terms of its coverage, which are available [here](#). Do you believe that tariff lawyers were made sufficiently aware of these contracts and changes through the Notices to Counsel?
- ₁ Yes
₀ No
₈ No response

Evaluation of the Family Limited Representation Contract

10. The Family Limited Representation Contract provides limited coverage for people who would not otherwise have been eligible to receive any representation services. Legal Aid BC has made changes to these contracts in order to provide access to more people within available budget. Please indicate to what extent you agree that the most **recent changes** made to the Family Limited Representation Contracts (date of most recent change is in parentheses) are an improvement to this service.

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
i. Increased scope of family law issues that may be covered (September 25, 2020) [was only financial security issues]	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
j. Types of court appearances covered include brief uncontested hearings (September 25, 2020) [was just case conferences]	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
k. Available hours are up to 8 hours general preparation and up to 3 hours attendance at court (September 25, 2020) [was up to 15 total hours, not broken down between general preparation and court attendance]	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8
l. Service stop date of 120 days (September 25, 2020) [was 1 year]	<input type="checkbox"/> 4	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 8

11. (For Q10a-f where disagree or strongly disagree – will be offered for each one separately) Please explain why you disagree or strongly disagree with the change: [a-d].

12. (If answer 2 to Q2) Have any of the recent changes impacted your willingness to continue to accept Family Limited Representation Contracts?

	More willing	Less willing	No impact
a. Increased scope of family law issues that may be covered (September 25, 2020) [was only financial security issues]	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1
b. Types of court appearances covered include brief uncontested hearings (September 25, 2020) [was just case conferences]	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1
c. Available hours are up to 8 hours general preparation and up to 3 hours attendance at court (September 25, 2020) [was up to 15 total hours, not broken down between general preparation and court attendance]	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1
d. Service stop date of 120 days (September 25, 2020) [was 1 year].....	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1
e. Bill by date of 30 days after service stop date (September 25, 2020) [was 6 months]	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1

Questions 13-END will be asked of all respondents.

13. Have you ever declined to accept a Family Limited Representation Contract?

- ₁ Yes
- ₀ No
- ₈ Don't recall

14. (If Q13 response is 1) Why have you declined to accept a Family Limited Representation Contract? Check all that apply.

- ₀₁ I was too busy at the time to take on more work.
- ₀₂ The service period of these types of contracts does not provide counsel with sufficient time to do the work.
- ₀₃ The hours available under these types of contracts are insufficient to do the work.
- ₀₄ Clients do not sufficiently understand the limited scope of these contracts.
- ₀₅ I am not comfortable with the limited scope of services that I can provide under these contracts.
- ₀₆ I have concerns about managing the expectations of the court regarding the limits of my retainer.
- ₀₇ I have concerns about managing the expectations of other counsel or other parties regarding the limits of my retainer.
- ₆₆ Other (please specify) _____
- ₈₈ Don't know

15. How would you describe the impact that the Family Limited Representation Contract has had in the following areas? (will use scale: Substantial, Moderate, Minor, None, Don't know)

	Substantial	Moderate	Minor	None	Don't know
h. Increasing clients' knowledge of the family law process.....	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
i. Helping prepare clients for next steps, including court.....	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
j. Improving clients' understanding of their legal issues.....	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
k. Improving clients' understanding of their legal options	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
l. Helping clients move their legal matter closer to resolution	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
m. Helping move cases toward resolution earlier	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈

	Substantial	Moderate	Minor	None	Don't know
n. Helping move cases toward resolution with less court involvement	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
o. Improving access to justice for individuals who would not otherwise receive legal aid	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
p. Improving access to justice for individuals who had difficulty accessing family duty counsel during the pandemic	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
q. Improving clients' understanding and preparation for Provincial Court processes following the implementation of the new Provincial Court Family Rules	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈
r. Please list any other impacts that you have observed and rate them (will give two lines)..	<input type="checkbox"/> ₄	<input type="checkbox"/> ₃	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₈

16. Should Legal Aid BC continue to offer the Family Limited Representation Contract?

- ₁ Yes
- ₂ Yes, with modifications
- ₀ No
- ₈ Don't know

17. (If 0 to Q16) Why do you think that Legal Aid BC should no longer offer the Family Limited Representation Contract?

- ₀ No comments

18. (If 1, 2, or 8 to Q16) Do you have any suggestions for improving the Family Limited Representation Contract? (open-end)

- ₀ No suggestions

19. Please share any other feedback or comments that you have on the Family Limited Representation Contracts.

- ₀ No comments

Evaluation of the Family Limited Representation Contract Interview Guide

Legal Aid BC is conducting an evaluation of its Family Limited Representation Contract (FLRC). As you know, the FLRC provides unbundled legal services from one lawyer to assist clients who may have some ability to self-represent and could benefit from support, assistance, and coaching for a limited number of hours to help them move along or resolve some or all of their family issues. Clients are first assessed for a Family Standard Contract and, **if not eligible**, are considered for the FLRC. FLRCs are only issued to clients who otherwise would not have been eligible for any legal aid representation for their family law matter. Clients do not need to necessarily face a risk of harm or violence to be eligible for this service.

The evaluation covers the period from the launch of the FLRC (October 30, 2018) to the present. Its focus is on the implementation of the FLRC and any progress toward achieving its anticipated benefits, which include:

- improving access to justice for individuals who would not otherwise receive legal aid; and
- helping family law clients who need a lawyer's advice and assistance to prepare for mediation or negotiation to settle some or all of their legal issues or to prepare to represent themselves in court.

Legal Aid BC hired PRA Inc., an independent research company, to assist in the evaluation. You may have already provided feedback on the FLRC by participating in the online survey earlier this year. If you have, we appreciate the feedback that you have already provided. Another component of the evaluation is to conduct telephone interviews with lawyers who have provided family law services under a legal aid contract. You do not need to have provided legal services under a FLRC. We would like to gather all counsel's opinions about this type of legal services contract. Your participation in the interview is voluntary.

The interview should take approximately 30-45 minutes. The information we gather through the interviews will be summarized in aggregate form. With your permission, we will audio-record the interview. Although we will take notes throughout the interview, no one outside of PRA will see these notes or listen to the recordings.

We realize that you may not be able to answer all questions. If that is the case, please let us know, and we will skip to the next question.

1. To begin, we have a few questions to provide us with some background information. What proportion of your practice is family law? What proportion of your practice is legal aid family law? How long have you taken family legal aid contracts?

Implementation of the FLRC

2. How well understood is the scope of the FLRC by counsel? By clients? By the court?
 - a. Are communications by Legal Aid BC to counsel sufficiently clear on the FLRC's scope and changes to the scope (e.g., Notices to Counsel)?
 - b. Are there any issues that you have experienced with clients not understanding the scope of the FLRC? How do you make clients aware of the limited scope? Do you use a retainer agreement with your FLRC clients? Why or why not?
 - c. Are there any issues that you have experienced with the court's understanding of the FLRC's scope?
 - d. Do you have suggestions for how Legal Aid BC could help improve the understanding of the FLRC's scope by counsel, clients, or the court?
3. The FLRC has undergone changes since its inception, which are listed below. For each change, do you consider it to have been an improvement, neutral/had no effect, or detrimental to service provision and/or client outcomes under an FLRC? Do any of the changes make you more or less likely to accept a FLRC?
 - a. Increased scope of family law issues that may be covered (September 25, 2020) [was only financial security issues]
 - b. Types of court appearances covered include brief uncontested hearings (September 25, 2020) [was just case conferences]
 - c. Available hours are up to eight hours general preparation and up to three hours attendance at court (September 25, 2020) [was up to 15 total hours, not broken down separately between general preparation and court attendance; however, no more than three of the 15 hours may be spent on court-based attendance]
 - d. Service stop date of 120 days (September 25, 2020) [was 1 year]
4. Have you ever taken a FLRC? If yes, have you ever turned down a FLRC? What impacts your decision whether or not to accept a FLRC contract?
5. We would like to understand how the COVID-19 pandemic impacted the FLRC and the work that you do.
 - a. How has the pandemic impacted, positively or negatively, your service delivery, specifically to FLRC clients?
 - b. Has the availability of the FLRC had any impacts, positive or negative, on the family justice system's response to the pandemic?
6. For counsel who have accepted FLRCs, what has been your experiences, both positive and negative, with the FLRC?

Expected outcomes

7. Do you think that the FLRC, as currently offered, has an impact on access to justice? If yes, in what ways? If not, why not? (*Probe: Are there fewer self-represented litigants in types of cases covered by FLRC? What has been the impact of service expansion?*)

8. To what extent, if any, has the FLRC helped family law clients prepare for mediation, negotiation, or (potentially) to represent themselves in court? (*Probe: extent to which the FLRC increases clients' knowledge of the legal process or helps prepare them for next steps*)
9. To what extent, if any, has the FLRC helped family law clients move their cases toward resolution by narrowing or resolving their issues? (*Probe: Does it assist with earlier resolution or resolution outside of court?*) What are the barriers, if any, to FLRCs being able to assist clients in moving their legal issues toward resolution?
10. Do you believe that Legal Aid BC should continue to offer the FLRC? Please explain.
 - a. Would you accept FLRCs if they continue to be offered? Why or why not?
11. Do you have any improvements that you would suggest for the FLRC?
12. Do you have any additional comments regarding the FLRC?

Thank you for your participation.

Appendix C – Client survey profile

Client profile (Client survey)

Characteristics	Total client respondents (n=314)
Age	
18-24 years old	1%
25-34 years old	17%
35-44 years old	39%
45-54 years old	25%
55-64 years old	12%
65+ years old	4%
Prefer not to say	2%
Gender identity	
Woman	67%
Man	29%
Transgender	<1%
Two-spirited	1%
Prefer not to say	3%
Indigenous identity	
Yes	10%
No	85%
Prefer not to say	5%
Language spoken most often at home	
English	86%
Farsi	2%
Punjabi	2%
Tagalog	2%
French	1%
Russian	1%
Spanish	1%
Other	3%
Prefer not to say	3%
Highest level of education completed	
No high school	2%
Some high school	10%
Graduated high school	24%
Post high school education	58%
Prefer not to say	6%
Region of province where currently reside	
Metro Vancouver (not Surrey) /Sunshine Coast	20%
Surrey/Fraser Valley	26%
Rest of BC	47%
Outside BC	4%
Prefer not to say	4%
Note: Each category was out of the total; totals within a category may not sum to 100% due to rounding.	