



**LAW COMMISSION OF ONTARIO  
COMMISSION DU DROIT DE L'ONTARIO**

**BACKGROUND**

**Best Practices at Family Justice System Entry Points: Users' Needs and  
Workers' Responses in the Justice System**

**Results of Public Consultations**

There is widespread agreement that the family justice system in Ontario is in need of significant reform. The response to public consultations among both users and workers in the family justice system reveals wide-spread support for new practices in this area of law.

The Law Commission of Ontario released its recommendations in its first family law project on pension division at marriage breakdown in October 2008 and a number of them were enacted into legislation. In September 2008, the LCO held a Family Law Roundtable, attended by members of the bar, academics, government representatives, family information centre workers, the judiciary and individuals from community organizations, all of whom were particularly active in the area of family law. In January 2009, the LCO circulated a paper setting out two project options and stakeholders concluded that identifying, analyzing and proposing changes to process issues would benefit most Ontarians in family law reform.

The LCO Board of Governors subsequently approved a project entitled "Best Practices at Family Justice System Entry Points: Users' Needs and Workers' Responses in the Justice System". The project's goal was to explore the following questions:

- How do Ontarians find their way to the legal system when they experience family conflicts?
- What kind of information and services do they receive at these entry points?
- How can system workers best orient users and facilitate early conflict resolution?

In September 2009, the LCO issued a Consultation Paper to guide participants during the public consultations which spanned fall 2009 and winter 2010. The LCO is now publishing a report on consultations, before entering its last phase of research in preparation for the interim report in the project.

During consultations, the LCO heard about different dimensions of family challenges but the link between law and the emotional impact on all the parties

was a recurring theme. Being aware of both aspects at various stages of family life appears to be rare amongst users and workers within the family justice system. As a legal clinic lawyer said, “Legal literacy is important, it should be common knowledge what framework you get into when you get married, not just emotions, cooking and passion.” LCO consultations revealed most people are not aware of this framework.

However, when things go wrong in a family, the price to pay is high in many ways. A thirteen year old girl wondered: “Why should a one line e-mail from a lawyer cost my mother one hundred dollars?” Or unless efforts at addressing both legal and emotional aspects of family breakdown are collaborative, LCO research shows that family members may be even further behind.

In early 2011, the LCO will issue an interim report including draft recommendations. Ontarians will have an opportunity to comment on these recommendations prior to release of the LCO’s final report to be approved by the LCO’s Board of Governors.

More details regarding the LCO family justice project and fall consultations can be found on the LCO website.

We welcome your input. If you have comments or questions regarding this project, please contact us at (416) 650-8406 or as follows:

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