

Research Snapshot

2021-2022 Saskatchewan Legal Needs Survey Findings: Family Law

What is this about?

Saskatchewan is currently amid a legal “data deficit” throughout the province. The 2021-2022 Saskatchewan Legal Needs Survey was conducted to gather comprehensive, Saskatchewan-specific data on the met and unmet legal needs currently experienced by individuals living within the province. Within the survey findings, family law is identified as the second-most area of need by community organizations, and the greatest area of need by lawyers. Both groups identified many barriers related to meeting the legal needs of those requiring family law services, and suggested facilitators to help address the ongoing need for family law services.

What did the researchers do?

The researchers surveyed both lawyers and representatives of community-based organizations that provide legal and/or non-legal supports and services to assess their perceptions of access to justice issues and priority legal needs of individuals and communities in Saskatchewan. Two online surveys were distributed to participants. One survey was tailored to community-based organizations, and the other was tailored to lawyers. The Community Agency Survey was completed by 67 representatives from community agencies, and the Lawyer Survey was completed by 272 lawyers.

What did the researchers find?

Family law proved to be a large area of concern in both the lawyer and community-based organization survey groups. Both groups indicated that it is one of three top areas of law wherein community members are most in need of legal services. Specifically, 61% of community-based organization representatives stated that their clients face legal problems with relationship-breakdown. Additionally, 36% of representatives from community-based organizations identified “other” family law problems as comprising a strong legal need for their clients. Lawyers believed services in family law are not adequately offered primarily because free or government-subsidized services are not available in this area of law (69%), this area of law and related legal procedures are too complex (53%), and legal service providers lack the capacity to meet the demand for services in this area of law (37%).

What do you need to know?

While both community-based organizations and lawyers agreed that there is a large legal deficit in family law within Saskatchewan, their views on the greatest needs of their clients slightly differed. For example, community-based organizations suggested that clients most often require legal support surrounding access to information and education surrounding family law. However, lawyers identified free or government-subsidized services as the greatest legal need. The differences in perception here highlight potential gaps in knowledge across both groups. Understanding these differences and working to address them may better inform collaboration and information sharing across community organizations and lawyers who support family-law clientele.

Likewise, lawyers identified many barriers to family law services in Saskatchewan. These included:

- Limited financial resources for legal representation and other expenses associated with accessing legal support (80%)
- Delays/time lags (e.g., waitlists) in this area of law (51%)
- The complexity of the area of law and related legal procedures (49%)

To make family law more accessible to those with legal needs in this area, lawyers suggested greater access to low-cost or free full-scope (70%) and limited-scope (61%) legal representation, as well as greater utilization of alternative dispute resolution models (57%). This suggests that lawyers are interested in greater flexibility and innovation in family law services. Further insight into the respondents' perceptions, including direct quotes, are available in the [2021-2022 Saskatchewan Legal Needs Survey](#).

About the researchers:

This work is the result of a joint research project between CREATE Justice, College of Law and the Centre for Forensic Behavioural Science and Justice Studies (CFBSJS) at the University of Saskatchewan. CREATE Justice is a centre for research, evaluation, and action on the topic of access to justice in the areas of access to legal services, dispute resolution, and systemic justice. CREATE Justice was established at the College of Law at the University of Saskatchewan in 2016. Researchers at the CFBSJS work to bridge the gaps between academics and criminal justice professionals in the public, private, and non-profit sectors. CFBSJS conducts research to help with program development, evaluation, and analysis across various parts of the criminal justice system, including policing, courts, and corrections.

Citation:

Stoliker, Bryce, Jewell, Lisa, Heavin, Heather & Lowenberger, Brea, "A Legal Needs Survey in the Province of Saskatchewan: Perspectives of Lawyers and Legal and Non-Legal Service Providers" (2023) at xii, 70-71, and 72; vi-vii and 42 (for community perspectives). [Link to the report.](#)

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Keywords: family law, access to familial legal services, relationship breakdown, family law policy.

How can you use this?

The 2021-2022 Saskatchewan Legal Needs Survey provides important information to organizations that work within the legal system. Right now, many organizations such as government, courts, pro bono groups, and legal education groups, collect data specific to their efforts. By taking a broader look at the met and unmet legal needs across the province and the barriers and facilitators to accessing justice, we can learn how individual groups are making an impact in Saskatchewan and how they can increase their impact. This research demonstrates the differing perceptions between lawyers and community-based organizations. Organizations interested in supporting access to family law legal services or investigating policy options can review the facilitators and barriers to legal services identified by participants to better tailor their community programming, legal services offered, and possible policy decisions to increase accessibility to family law services in Saskatchewan.