



## **The Dean’s Forum on Access to Justice and Dispute Resolution: Reflections at CREATE Justice on “How it Started vs How it’s Going”**

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### **About the Dean’s Forum Dean’s Forum on Access to Justice and Dispute Resolution**

The Dean’s Forum on Access to Justice and Dispute Resolution, colloquially known as the Dean’s Forum, is an initiative that engages justice community stakeholders in Saskatchewan in a dialogue about access to justice and the future of the justice system, with a focus on the civil and family justice sector. The associated Dean’s Forum course, unique to the College of Law, University of Saskatchewan, offers law students a rare ‘hands-on’ learning opportunity to contribute to justice policy alongside these stakeholders, who are leading members of the legal profession. In turn, stakeholders benefit from the students’ research and facilitated dialogue, which is intended to inspire action to improve access to justice within and among stakeholder organizations.

Nine Forums have been held to date, with the tenth scheduled for March 2022. At this tenth annual milestone, we are pausing at CREATE Justice to reflect, and invite others to join us in considering ‘How it Started vs How it’s Going’ – and where we go from here to improve access to justice in Saskatchewan.

### **About CREATE Justice, the Centre for Research, Evaluation, and Action Towards Equal Justice**

CREATE Justice or Centre for Research, Evaluation, and Action Towards Equal Justice was created in 2016 in response to a call for action for a more accessible justice system in Canada. CREATE Justice works towards its goal of creating a more accessible justice system, through the implementation of new or existing projects, often through its in-house lab, aimed at making justice more accessible in a variety of ways.

In considering which projects CREATE Justice becomes involved in, the purpose of the project(s) typically identifies one of the following three principles as its aim in improving access to justice:

- [Guiding Principle 1: Testing and reviewing design methods](#)
- [Guiding Principle 2: Implementing a collaborative, action-oriented approach](#)
- [Guiding Principle 3: Advancing justice data and metrics, or program evaluation](#)

Through research and action, each of these three principles is required to spark the type of societal and economic changes required to aid in making justice more accessible. Therefore, CREATE Justice has chosen to implement ideas from the Dean’s Forum that meet one or more of these guiding principles.

## About CREATE Justice's Implementation of Dean's Forum Ideas\*

### how it started



Overall Themes from First Meeting  
September 20, 2013

1. Early integrated intervention
2. Public information at critical gaps
3. Culture shift (manage vested interests)
4. Broader 'ownership' of law and justice as a public good

### how it's going



- Architects of Justice Project
- Saskatchewan Access to Legal Information Project (SALI)
- Access to Justice for Marginalized Tenants
- Action Committee Metrics Working Group
- Learning Law in Place: An experiential guide for law students
- Justice Sector Data Inventory
- Justice and Health Partnership Community of Interest
- Saskatchewan Legal Coaching and Unbundled Services Pilot Project (LCUP)
- Diversity and Inclusivity in the Legal Profession – Celebrating Success, Inspiring Action
- National Trusted Intermediaries and Legal Information Network (TILI)
- Legal Needs Assessment for Saskatchewan
- Enough Already – preventing sexual harassment in Saskatchewan workplaces
- Public Perceptions of the Saskatchewan Justice System and its Accessibility for Saskatchewan Residents

**2013: How it Started...** *The goal for the first meeting of the Forum was to locate the access to justice debate within the Saskatchewan context and begin an open discussion about challenges, needs, hopes, and possibilities. By the end of the day, participants had identified four areas to focus reform efforts: (1) early integrated intervention and service delivery (triage service centres); (2) public information at critical gaps; (3) engaging practicing lawyers in a legal culture shift; and (4) broader 'ownership' of law and justice as a public good. Furthermore, the group decided that the Dean's Forum should continue as a think-tank discussion forum.*

#### → How it's Going...

- Each Dean's Forum topic has further delved into and built off of these originating themes, and given the roots of the initiative, have primarily focused on civil and family justice matters. Since its inception, CREATE has used these four suggested areas for reform to guide project selection throughout the years, as will be illustrated below – as well as to inform establishing its own three guiding principles. Also, as a result of the first Dean's Forum, CREATE has primarily focused

\* Starting in 2020, the "How it started vs How it's going" meme template has taken over social media, with people using two images to compare how an idea, situation, or life has changed over the passage of time. See "How it Started vs How it's Going" meme template: <https://www.kapwing.com/explore/how-it-started-vs-how-its-going-meme-template>.

on access to justice initiatives in the areas of family and civil justice.

**2014: How it Started...** *The goal for the day was to continue discussion on the two key topics from the 2013 Forum, and to identify some tangible next steps. The bulk of the day was devoted to the discussion of the two topics of (1) integrated service centres; and (2) justice innovation and the culture of the legal profession. It became clear that there was consensus on a desire to move forward with the development of an Integrated Service Centre, which attracted support from the Ministry of Justice. There was less consensus developed around the legal culture topic, though many interesting ideas emerged for further discussion and exploration in the future.*

→ **How it's Going...**

- The Prospect of Integrated Service Centres
  - To utilize existing sites that are home to trusted intermediaries such as public library staff and healthcare professionals, CREATE co-launched:
    - the *Saskatchewan Access to Legal Information (SALI) Project* in 2016, in collaboration with the Public Legal Education Association of Saskatchewan (PLEA), Law Society of Saskatchewan Library, Urban Public Library (Saskatoon Public Library), Rural Public Library (Wheatland Regional Library, Southeast Regional Library, and Parkland Regional Library), University Library, University of Saskatchewan, Justice Services Division, Ministry of Justice, Provincial Library & Literacy Office, Ministry of Education, and Pro Bono Law Saskatchewan.
    - the *Justice and Health Partnership Community of Interest* in 2017, a collaboration between CREATE and the Division of Social Accountability, College of Medicine, followed by
    - the *National Trusted Intermediaries and Legal Information (TILI) Network* in 2019, a collaboration among Brea Lowenberger, Director of CREATE and Access to Justice Coordinator, Melanie Hodges Neufeld, Saskatchewan Ministry of Justice, Dayna Cornwall, Project Coordinator, National Self-Represented Litigants Project, and Megan Smiley, LawMatters Program Coordinator, Courthouse Libraries BC.
- Justice Innovation and the Culture of Legal Practice
  - CREATE partnered with Law Society of Saskatchewan and Ministry of Justice to co-launch the *Saskatchewan Legal Coaching and Unbundling Pilot Project* in 2019.

**2015: How it Started...** *The third meeting of the Forum took place in March 2015. Student groups again prepared policy discussion papers and presentations. The students focused on two themes: (1) the role of non-lawyer legal professionals (legal technicians/paralegals) in the delivery of legal services (a subset of the early integrated intervention and public information at critical gaps themes); and (2) how law school can better prepare students to appreciate and respond to the access to justice issue, including possibly introducing a Centre of Excellence for Access to Justice at the College of Law (a subset of the original culture shift of the legal profession theme). Forum members further identified the need for infrastructure to provide ongoing support for Dean's Forum meetings and recommendations arising from the meetings.*

→ **How it's Going...**

- Introducing Paralegals into the Saskatchewan Legal Market

- Since its establishment shortly after the 2015 Dean’s Forum, CREATE has been consulted on an ongoing basis about expanding access to regulated legal services, including partnering with the Law Society of Saskatchewan on launching a *Legal Needs Assessment Project*, with support from the Law Foundation of Saskatchewan, that will, with results ready in 2022, provide foundational data for the initiative.
- CREATE has also continued to forward any updates and feedback related to the topic to the Law Society of Saskatchewan, as it becomes available.
- A2J: A Legal Education Initiative
  - A *staff position* was established at the College of Law in 2015 to ensure that Dean’s Forum recommendations were proceeding and *CREATE* was launched in 2016.
  - CREATE, as part of the Canadian Bar Association Access to Justice Subcommittee’s Legal Education Working Group, co-launched in 2018 *Learning Law in Place: An experiential learning guide for law students*, intended to be one tool in the larger pedagogical mission of supporting access to justice through legal education.
  - CREATE launched the *College of Law Research Poster Competition* in 2017, intended to promote access to legal information for all.
  - College of Law and CREATE were awarded Gwenna Moss SoTL Cluster group funding in 2020 to examine *College of Law graduate attributes from an access to justice perspective*.
  - CREATE continues to provide guest lectures on access to justice topics in the Colleges of Law, Arts & Science, Nursing, Education, Huskie Athletics programs, and supervises student access to justice projects for credit and volunteers.

**2016: How it Started...** *The students focused on two themes in 2016: (1) putting the public first in access to justice initiatives; and (2) the accessibility of superior courts and court procedures. The goal for the first topic was to engage Dean’s Forum participants in a discussion to explore and critically engage with identifying who ‘the public’ is and how it can contribute meaningfully to more ‘accessible justice’. The second topic examined how Courts and Court procedures can be more accessible to more people and more cases, reflective of the needs of the society it serves, including examining how early and active judicial case management and dispute resolution, and further engaging lawyers in the new simplified and summary procedures rules of Court could improve access to justice for Saskatchewan residents.*

**→ How it’s Going...**

- Putting the Public First
  - Following this topic, CREATE co-launched the *SALI Project* in 2016, which involved hosting a Symposium in 2016 and a province-wide conference in 2017 to inform the project work, and undertook two *SALI Data Collection Pilot Reports* in 2018 and 2019 to learn more about the public and library staff needs.
  - The *Architects of Justice Project* emerged from the Dean’s Forum theme of “putting the public first.” Architects of Justice is an initiative that, through an exploratory survey, increases public participation in developing access to justice solutions, by asking the public where they would go for help, upon establishing that they have a legal problem and why. Findings from the survey were published in 2017.
  - CREATE’s establishment of the annual *Saskatchewan Access to Justice Week* in 2016 is a spinoff of the “Putting the Public First” topic – participants at that meeting identified, “a provincial strategy must embrace multiple vehicles and approaches to engagement to

ensure that different communities within the public, each who face diverse access to justice barriers are both engaged and meaningfully heard”.

- Since Saskatchewan’s first *Access to Justice Week* in 2016, CREATE was also successful in establishing a *National Access to Justice Week Network* starting in 2020, which has hosted a number of events throughout each of the province’s respective *Access to Justice Week* schedules on an annual basis.
- CREATE’s *Public Perceptions of the Saskatchewan Justice System and its Accessibility to Saskatchewan Residents* project emerged from the 2016 Forum theme of “Putting the Public First” and published in 2019, was inspired in part by the element of the triple aim of “improving user experience of access to justice”, from the *Access to Justice Measurement Framework*, examined at the 2018 Forum. This project builds off of CREATE’s *Architects of Justice Project* to highlight the public’s perception of the Saskatchewan Justice System through a series of four exploratory surveys, which were intended to gain insight into the public’s opinions, perceptions, and experiences with the justice system
- *Enough Already*: This project, which CREATE launched with its partners in 2020, is a multi-stakeholder coalition determined to address and prevent sexual harassment in Saskatchewan workplaces. The coalition is committed to working with government, business, industry associations, unions, and community organizations to make workplaces throughout Saskatchewan safe for everyone. The coalition is comprised of the Saskatchewan Human Rights Commission, Saskatchewan Chamber of Commerce, CREATE, College of Law, Sexual Assault Services of Saskatchewan, and Saskatoon Industry Education Council.
- Addressing A2J in the Saskatchewan Court of Queen’s Bench
  - CREATE published the *Mandatory Early Dispute Resolution Report* in 2018, which gathered feedback about family law processes from members of the Saskatchewan public who have and have not participated in a family law process. The results were to inform the Saskatchewan Ministry of Justice in family justice system reform in Saskatchewan, including potential legislation that the Saskatchewan Ministry of Justice is considering.
  - CREATE, in collaboration with Access to Justice BC, Reforming the Family Justice System Alberta, and the Access to Justice & Law Reform Institute of Nova Scotia will be undertaking a project in 2022 focused on using strategy mapping as a tool to implement transformational change within the family law sector.

**2017: How it Started...** *In 2017, the first topic explored how the distinction between legal information and legal advice has been defined in various contexts, including intermediaries (e.g., librarians), legal coaches, and near-to-law professionals. The second topic examined how partnerships between justice and health systems might improve access to justice for the public in urban, rural, and remote areas of Saskatchewan, with a special focus on how technology might enhance this service provision.*

**→ How it’s Going...**

- Legal Information, Legal Advice, and A2J
  - As mentioned above, CREATE has been consulted on an ongoing basis about expanding access to regulated legal services, including partnering with the Law Society of Saskatchewan on launching a *Legal Needs Assessment Project* that will provide foundational data for the initiative and will be published in 2022.

- Also mentioned above, the *National Trusted Intermediaries and Legal Information (TILI) Network* was established in 2019, to improve on a national scale, information exchange related to access to plain language legal information and affordable services through community workers who act as trusted intermediaries, such as court services staff, librarians, and social workers.
- **Creating Connections Between Delivery of Justice and Health Services**
  - As mentioned above, the *Justice and Health Partnership Community of Interest* emerged in 2017 between CREATE and the Division of Social Accountability, College of Medicine in the context of the 2017 Dean’s Forum. In its deliberations, the forum identified justice and health partnerships as one of the critical components of access to justice. It is CREATE’s intention that by forming this relationship, we may be able to address significant gaps that exist between the medical and legal fields, as legal issues often stem from other everyday problems.
  - As a first step following the forum, CREATE hosted a lecture on “*Expanding Engagement: Creating Connections Between Delivery of Justice and Health Services*”, which was delivered by Michele Leering, founder of the *Rural Justice & Health Partnerships Project*, on October 18, 2017, during the second annual Saskatchewan Access to Justice Week. This lecture attracted attendance and interest from campus and community members from the justice and health sectors alike.
  - Building on the interest of stakeholders in the 2017 lecture, CREATE co-hosted with the College of Medicine a provincial conference in 2018 on establishing Medical-Legal Partnerships (MLPs) in Saskatchewan. With the support of the *Saskatchewan Health Research Fund*, interim findings were shared from the MLP project.
  - In response to ideas that arose at the conference, further consultation and coordination unfolded during 2019-2020 to identify potential pilot sites to meet intersecting justice and health needs. Further consultation and the implementation of next steps arising from those consultations have been on hold due to COVID-19 and are now beginning to resurface.
  - In the interim, CREATE was invited and has taken part in 2020-present in the *Justice and Health Partnership Measuring Impact Advisory Committee*, supported by the Law Foundation of Ontario.

**2018: How it Started...** *In the morning, Dean’s Forum participants discussed the issue of access to civil and family legal services in rural Saskatchewan, and in the afternoon, participants engaged with the question of how we measure the extent to which the system, broadly conceived, facilitates access to civil and family justice, and what a justice metrics framework could look like in Saskatchewan.*

→ **How it’s Going...**

- **Improving Access to Civil and Family Services in Rural Saskatchewan**
  - As mentioned above, CREATE has partnered with the Law Society of Saskatchewan on launching a *Legal Needs Assessment Project* that will provide foundational data to understand the needs of people in rural and remote Saskatchewan.
  - The *SALI Project* and the *Justice and Health Partnership Community of Interest* also aim to improve access to justice in rural and remote Saskatchewan.

- Civil and Family Justice Metrics: Towards a Framework for Saskatchewan
  - In 2018/2019 CREATE co-launched the *National Action Committee Metrics Working Group*, with the mandate to work toward inter-jurisdictional cooperation and coordination in the development of justice metrics.
  - CREATE spearheaded a *Data Inventory and Evaluation Research Project*, published in 2019, focused on justice sector actors and organizations involved in resolving everyday legal problems in Saskatchewan. The purpose of the research was to understand the data collection practices of justice sector actors, the type of data that is being collected, and how data is being used to inform service delivery and justice system improvements.
  - CREATE offers, on an ongoing basis, support to organizations in utilizing an A2J Measurement Framework in project planning and evaluation.

**2019: How it Started...** *A policy discussion paper was presented in the morning on “Diversity and Inclusion in the Legal Profession” to provide participants with context for the discussions that followed, and in the afternoon, attendees were part of a hypothetical 'think tank', tasked with ideating how to use technology to improve the legal empowerment of the public.*

→ **How it's Going...**

- Diversity and Inclusion in the Legal Profession
  - CREATE is spearheading the project, *Celebrating Success, Inspiring Action – with women alumni of the University of Saskatchewan College of Law*, motivated by several participants at the 2019 meeting of the Dean’s Forum (and stemming from the original 2013 theme addressing the culture of legal practice). This project will bring together a group of female-identifying alumni to reflect on their experiences, and those reflections will be the foundation of a book that will celebrate success and inspire ongoing action. CREATE hopes to build on this project to engage with College of Law graduates and other Saskatchewan lawyers in other initiatives that will foster leadership, mentorship, and networking among female-identifying lawyers and allies.
- Meeting Saskatchewan’s Justice Needs With Technology
  - CREATE, in collaboration with the Ministry of Justice and the Canadian Hub for Applied Social Research, will be undertaking a project in 2022 which aims to understand how online legal information is best understood.

**2020: How it Started...** *Students authored a paper that offered solutions for efficiently designing and implementing a new framework for limited legal service providers in Saskatchewan, and a second paper that considered, primarily, the gap in access to justice surrounding family court forms in Saskatchewan.*

→ **How it's Going...**

- The Design Lab for Creating Limited Licence Practitioner Pilot Projects
  - This Dean’s Forum paper builds off the Forum of 2015’s paralegal topic and Forum of 2017’s legal information and legal advice topic, where it was again identified that more Saskatchewan-specific data on legal needs was needed. As mentioned above, CREATE has been consulted on an ongoing basis about expanding access to regulated legal services, including partnering with the Law Society of Saskatchewan on launching a *Legal Needs Assessment Project* that will provide foundational data for the initiative.

- Next Steps in Exploring Family Justice in Saskatchewan (Court Forms Topic)
  - This topic builds off of the Dean’s Forum findings in 2016 on Addressing A2J in the Saskatchewan Court of Queen’s Bench. The 2020 findings were quoted during CPD training on the topic.
  - Also, as mentioned above, CREATE, in collaboration with Access to Justice BC, Reforming the Family Justice System Alberta, and the Access to Justice & Law Reform Institute of Nova Scotia will be undertaking a project in 2022 focused on using strategy mapping as a tool to implement transformational change within the family law sector.

**2021: How it Started...** *In 2021, the Dean’s Forum student groups had very different topics. The “Family Group” was tasked with exploring and investigating mandatory independent legal advice (ILA) in the family justice system – a problem that arises within a complex system. In contrast, the second group, the “Lab Group” was asked to explore and examine technology or innovation labs.*

→ **How it’s Going...**

- Reimagining Family Justice in Saskatchewan 2.0 (Independent Legal Advice Topic)
  - CREATE is prepared to participate, in collaboration with the number of participants who have expressed an interest in being part of a working group to further examine and advance ideas stemming from the Independent Legal Advice topic.
  - As mentioned above, CREATE, in collaboration with Access to Justice BC, Reforming the Family Justice System Alberta, and the Access to Justice & Law Reform Institute of Nova Scotia will be undertaking a project in 2022 focused on using strategy mapping as a tool to implement transformational change within the family law sector.
- Meeting Saskatchewan’s Justice Needs Through Technology 2.0 (A Tale of Two Labs)
  - CREATE is using the findings from this topic in its lab to address access to justice problems.

**2022: How it Started...** *Dean’s Forum students are invited, during this milestone year, to through their research and consultations, develop a framework/list of principles for justice stakeholders to use as their ‘point of departure’ when making decisions around technological advancements and in-person versus virtual appearances for different dispute resolution and adjudicative processes.*

→ **How it’s Going...** To be determined!

## Conclusion

The fall of 2021 marked the fifth anniversary of CREATE, and 2022 marks the tenth annual meeting of the Dean’s Forum. It is clear that over the past decade, much work has been done to make justice more accessible for Saskatchewan residents, however it is also apparent that there is further work that needs to be done. We are hopeful that the forward momentum that has been made in making justice more accessible for all, will continue into the next decade. CREATE remains committed to considering ideas that arise at each Dean’s Forum and taking on projects that will result in making justice more accessible for all. We are most grateful to our funders, in particular the Law Foundation of Saskatchewan, for enabling us to continue making positive changes within the justice sector.