

Before you Separate

Read This

**A User-Centered Guide to Saskatchewan's
Family Justice System Process**

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Executive Summary

The 2025 edition of the Dean's Forum is continuing past initiatives to improve Access to Justice in Saskatchewan, with a focus on legal education within the family law system. Specifically, this year's topics have set out to create two resources, each with a different focus and methodological approach. Targeting the stages of separation, we took a "downstream" approach, creating a resource for those who have already started or are about to enter the family law process. Our point of departure was to research, develop, and user-test a user-friendly process map of the current family justice system that can guide individuals as they navigate the process, while engaging with key stakeholders throughout the design and implementation process.

In early discussions with stakeholders in the Saskatchewan Access to Justice Network, it was made clear that the area of family law is currently being overwhelmed by users of the court system, and in particular users who are proceeding without full representation. A key component of Access to Justice initiatives is to provide legal education to self-represented parties as they work through their legal issues. Saskatchewan has a very strong public legal education program, with extensive resources in the area of family law in particular. However, a gap exists in having a centralized resource that accurately reflects the entirety of the process and makes further recommendations for assistance.

Our goal was to create a process map that can guide self-represented litigants through the family law process while highlighting the variety of effective resources that already exist. In addition, we sought to research and incorporate key principles of legal design and education in order to develop a list of best practices that is transferable to other areas of law.

We met with numerous stakeholders who assisted us in the development of the map. These stakeholders expanded our knowledge of the family law system and indicated to us where there needs to be stronger understanding for self-represented users. We strove to reflect these learnings in our finished product. Throughout our consultations with stakeholders, we learned that a resource for this purpose should be clear in reflecting the entirety of the process and prepare users for the (sometimes long and overwhelming) journey ahead. Also, a resource will never be able to replace the need for personal assistance throughout this process, and families should be encouraged to participate in Early Family Dispute Resolution practices and to come to their own agreements where possible.

To include elements of legal design and education, we relied on the many works of Margaret Hagan who has extensive experience in the area of legal design. She has

created the “Six Fundamental Principles of Good Legal Design” which we centered the design of our map around.

Introduction

Relationships have an impact on almost every aspect of our life: our living arrangements; our finances; our homes and belongings; and of course, the makeup of our immediate family. Because of this, when relationships breakdown, the family law system is a necessary tool to support families in solving their internal problems and come to a state of resolution. The *Cromwell Report* found that under annual averages, approximately 40% of marriages will end in a divorce, meaning that a majority of these individuals will be in need of at least some aspect of the family law system.¹

Specifically, in Saskatchewan, the 2021-2022 Legal Needs survey identified that **Family Law is currently the second most common legal problem, at 61%**, among individuals accessing community-based organizations for their legal issues.² When further questioned on their specific needs in order to manage these legal problems, **access to legal information and education ranked above all other options**, including access to affordable legal supports and representation.³

These statistics reveal that the majority of those who are utilizing these legal systems are those who are navigating the process on their own, without full legal representation. **These “self-represented litigants” (SRLs) are attempting to guide their own way through the process, without full representation, and are reliant upon the resources that are publicly available to them.** In general, community members who are working through the justice systems have consistently noted how confusing and difficult the system is to navigate. When individuals are unaware of their rights, the *CBA Report* reflected that individuals feel lost as to where to go, and feel as though they are “running in circles” trying to navigate it all.⁴

While the *Cromwell Report* notes that public legal education exists in many large and effective forms across Canada, challenges do present themselves with regard to the authority of the resources across many jurisdictions and whether the resources are both current and reliable.⁵ This issue translates specifically to the family law context within Saskatchewan where there is an abundance of available resources, but participants who are just beginning the process are unsure where to begin and feel overwhelmed by the system.

For example, the Family Law Information Centre (“FLIC”) offers “Self-Help Kits” for individuals and also acts as a continuing reference for assistance. **In 2023, the FLIC**

distributed over 3000 self-help kits, while receiving and responding to over 10,000 emails and 4,000 phone calls.⁶ Meanwhile, the Public Legal Education Association of Saskatchewan (“PLEA”) acts as host of several legal resources offered in plain language, many of which are centered around the area of family law, including PLEA’s FAMLi system which houses a “form wizard” to assist with court forms throughout the entire process. **In 2023, PLEA’s website was accessed 506, 659 times for those seeking all types of legal information.**⁷ Organizations like Pro Bono Law Saskatchewan and CLASSIC offer legal advice to self-represented individuals through free consultations, and also refer clients to existing resources.⁸

In talking with many stakeholders from several of these organizations, it was made clear that the family law system is complex enough for those who deal with it every day, with several leading statutes and multiple different pathways and court steps to prepare for. Those with no knowledge of the system will feel a heightened sense of uncertainty during a time where they are also dealing with lots of emotions and personal changes. However, it may be possible for individuals to find success on their own, with the assistance of the available tools.

Despite the availability of all of these useful resources, stakeholders in the Access to Justice Community in Saskatchewan have identified a gap in having a centralized process map that can act as a guide. The addition of mandatory steps such as early family dispute resolution and the creation of Judicial Case Conferences in Regina and Saskatoon, while beneficial to many have also added to the multiplicity of steps that can cause further complexity. For those who deal with SRLs in their everyday practice, it was stressed that for those who are attempting to navigate the process, it would be beneficial to have a central resource that explains the entirety of the process as simply as possible, and highlights the most important steps and information to guide them.

Our project had the goal of creating a resource that empowers SRLs, while also acting as a guide for navigating the complexity of the family law process in Saskatchewan. Throughout the process of developing our resource, we engaged with several stakeholders and conducted research in effective legal design principles. In meeting with stakeholders, we identified current resources that are currently relied upon by self-represented users, and learned about the necessary steps involved for those going through a separation or divorce in Saskatchewan and where people face the most difficulty.

Our paper is broken into three main sections. First, we discuss our research on the best practices for legal design, drawing heavily on the work of Margaret Hagan and our consultations. We then focus on our consultations and first drafts of our process

map development. To conclude, we introduce the final version of our process map and illustrate how our consultations, user-testing, and our research regarding legal design informed our resource.

Principles of Legal Design: Best Practices

In order to **design** a process map for the Saskatchewan family justice system, we first needed to answer the following question: “**What is legal design?**”

To answer this question, we turned to Margaret Hagan, a lawyer, designer, and the Executive Director of the Legal Design Lab at Stanford Law School.⁹ According to Hagan,

Legal design is the application of human-centered design to the world of law, to make legal systems and services more human-centered, usable, and satisfying. Legal design is a way of assessing and creating new legal services, with a focus on how usable, useful, and engaging these services are.¹⁰

Hagan notes that “design is about usability, it is about utility, and it is about engagement.”¹¹

Hagan has found that despite exposure to the system through the “courtroom genre,” individuals “don’t feel smart in the world of law.”¹²

Though Hagan’s research comes out of the United States, it is applicable to individuals navigating through legal systems in Canada. The *CBA Report* states that individual who are trying to navigate through the justice system consistently find it to be “confusing and difficult to navigate.” Notably, these people “pointed out that ignorance of one’s legal rights renders them useless” and “[t]hey reported feeling like they were ‘running in circles’ as systems are not integrated; they are in ‘silos.’”¹³

The stress of navigating a complex and complicated legal system pairs with the stress and emotions of the legal situation an individual is facing,¹⁴ whether that be family breakdown, criminal charges, the death of a loved one, or any other legal issue or situation that activates the amygdala, naturally placing an individual

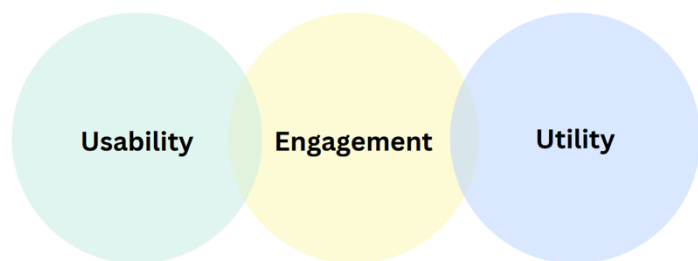


Image Source: Canva

into a state of fight, flight, or freeze.¹⁵ When individuals are in this state, access to the prefrontal orbital cortex, that is, the area where judgment resides, is impaired.¹⁶ This means that when people face situations in which emotions and stress are heightened, they do not take in information as clearly.¹⁷

Hagan has suggested that “**showing**” through resources like process maps¹⁸ may relieve user stress and improve confidence, as knowing the steps they can take through their journey provides a sense of control.¹⁹

Hagan has developed sets of principles, three sets of which are of particular importance to us. The first set Hagan terms the **Essential Principles for Good Visual Design**.²⁰ Their counterpart is the **Essential Design Prohibitions**.²¹ These are universal in nature and can be applied to any visual design project. The second set is geared towards legal design in particular and is called the **Six Fundamental Principles for Good Legal Design**.²²

Communication Design (Generally)

Communication design encompasses the typical choices one makes when creating any sort of project or resource. This means that it comprises options with regard to what colours to use, the type of text and font, the phrases and wording, and any other elements needed to communicate your points and information with your intended user.²³

Communication design is intended to **empower** the user **to make their own choices**, and to feel **confident** in their ability to make the decisions necessary to navigate through systems.²⁴

Essential Principles for Good Visual Design²⁵

- More white space – always more white space – let the eye breathe
- Establish a hierarchy of information – using differences in size, bold/italic, color, or style
- Two font maximum – do not use more than two different fonts in one document – using one can often be preferable
- Use color sparingly, carefully, intentionally – and know the cultural & emotional triggers you're invoking with the color you choose
- Add redundancy to keep reinforcing the key point
- Use a grid to get your composition clear & pleasant – make sure objects & type are aligned as much as possible
- Compose from top left-corner down & over, most important things up there, and then following the user's natural eye flow

Essential Design Prohibitions²⁶

- Never use Comic Sans
- If you are using more than one font, don't have them be from the same style or the same class (both serifs or both sans serifs) - they should contrast heavily with each other to go well together
- Avoid font size that is tiny - try to stay in the 12pt - 16pt range for body copy
- Avoid ALL CAPS for important things - it is unreadable after a few words, people will tune it out
- Avoid **too much bold**, use it very sparingly for only the most important bits of information
- Don't make your lines too long or too short - ideally 50-70 characters per line, counting the spaces
- Don't type on an image meme-style without putting a background fade under the type or a transparent layer over the image, to make the type clearly visible
- Have images & other visuals point towards the content - not facing away

Legal Design (Specifically)

Six Fundamental Principles for Good Legal Design²⁷

1. Make the users of legal services more empowered and intelligent

- Legal design should allow the person to understand and comprehend what is going on, allowing them to make their way through the system strategically. Good legal design should give people the tools they need, it should allow people to work through scenarios and encourage collaboration with their advocate.

2. Provide process-based views of legal work

- Legal design should show how the system in question works in a step-by-step process. The pathways available, the start-points, and the end-points should be visible.
- As opposed to simply describing the system in paragraphs or through abstract terminology, good legal design will present the process as a “board game” of how a person would proceed through the journey, from the beginning to the end.

3. Foster a collaborative relationship between the person and the advocate

- Often, people want to play a large role in their own advocacy through gathering the necessary information, understanding the different options and strategies available to them, and to oversee the process their lawyer or other advocate is carrying out.
- Good legal design should allow people to contribute to the process, and should provide the tools, strategies, and templates for an advocate-client relationship that is two-way as opposed to one-way.

4. Always give the bird's eye view that swoops in

- Hagan notes that when people talk about being better informed, they consistently request a map. People want to be able to zoom-out and see the legal system that they are engaging with in its entirety. Process maps and a bird's-eye view allows someone to understand context and see why they are doing what they are doing.

5. Be simple on the front, and smart at the back

- People don't want to be faced with a multitude of choices. Rather, they want to be informed of the best strategy for them and to follow it.
- Hagan suggests that in order to present simple and streamlined guidance, research, data, and user-testing should be used.

6. Provide multiple modes that let people customize the experience

- Providing multiple modes recognizes that not all people consume and digest information the same way. For example, some people are visual learners, while others like to read. Another key difference is those who are tech-savvy versus those who prefer paper copies.
- Good legal design makes the same core content available in multiple modes, making it accessible for all users.

We took Hagan’s sets of principles and combined them with guidance acquired through consultations with Dr. Judy Jaunzems-Fernuk, a certified counsellor, teacher, and the Well-Being Coordinator at the University of Saskatchewan College of Law,²⁸ and individuals from PLEA²⁹ to form our guidelines for creating our resource.

Dr. Jaunzems-Fernuk and PLEA provided us with the below guidance:

Do	Don't
<ul style="list-style-type: none"> • Use large, as opposed to small, font. • Use numbered steps, though avoid too many steps (3-5 maximum if possible). • Use common and recognizable language that is empowering. • Convey the different options for individuals navigating through the system. Court is not the only option. It is calming to know that there are different options available. • Structure sentences clearly and write simply. • Consider the literacy level of your audience and tailor your resource accordingly. • Consider whether individual steps require a full explanation or whether users can be referred elsewhere. 	<ul style="list-style-type: none"> • Do not overcrowd information and do not place too much text on your resource . • Do not use bright and overwhelming colours. Black on white / dark on light is more effective. • Do not using jarring images (for example, lightning bolts).

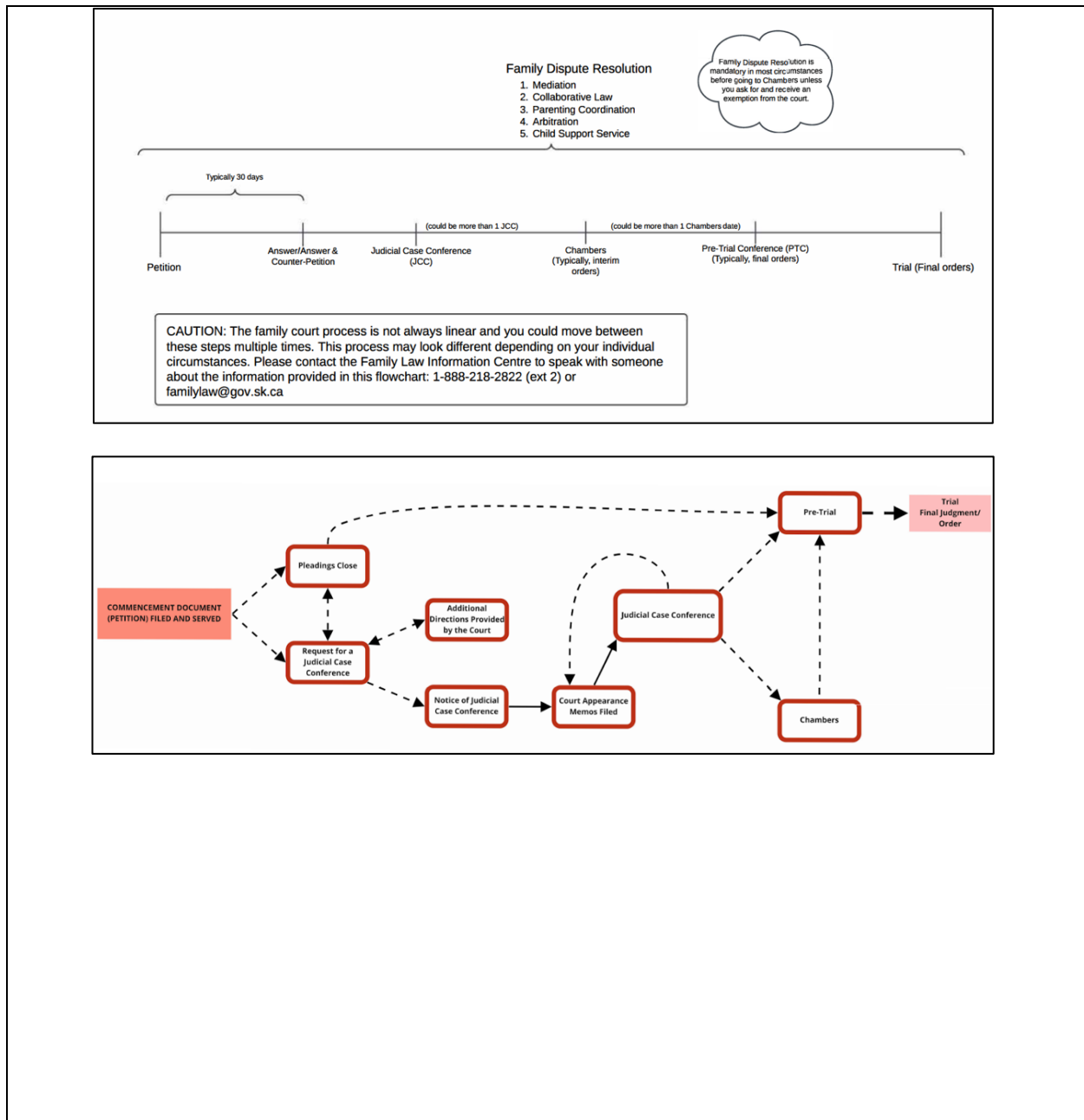
Both PLEA’s and Dr. Jaunzems-Fernuk’s information closely overlaps and aligns with Hagan’s principles.

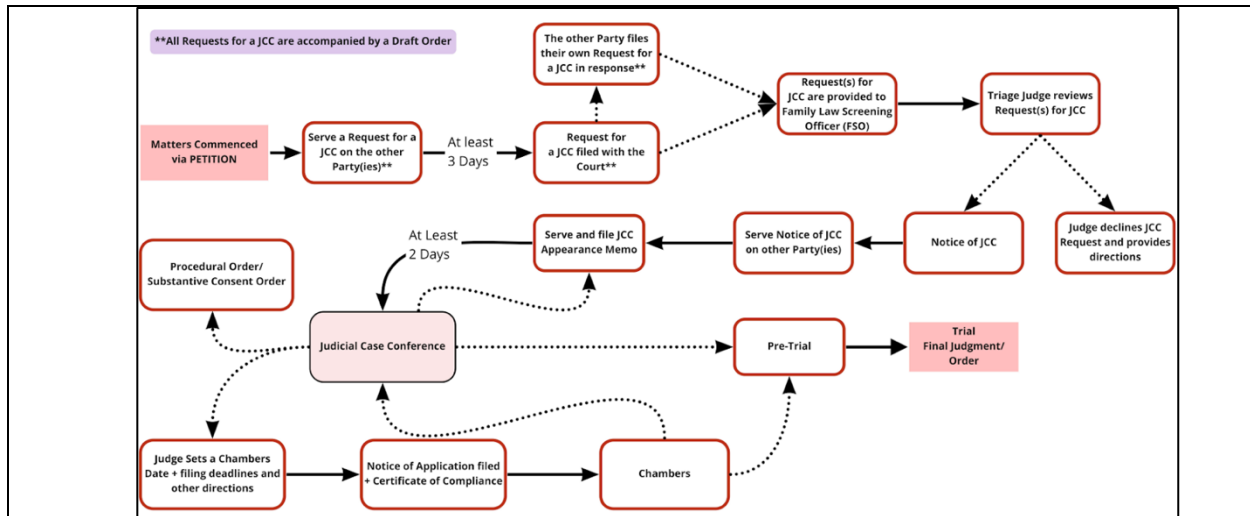
Notably, some of the key themes that emerged from our research and consultations is that **our resource must be focused on the end-user**, which in our case is a SRL in the family law system. **Information should not be overwhelming**, both in terms of its visual appearance and the amount of information that is conveyed in a single resource. **Transparency is important**; individuals should be fully informed of the process and know the different pathways that are available to them. Further, **resources should be mindful of the stress that is inherent in the process**³⁰ and should be structured

and relay information in such a way that does not further overwhelm and trigger additional stress.

Developing our Resource: Consulting & Drafting

To begin developing our version of the process map, we were fortunate to have received several examples of previous designs from Family Justice Services. These gave us an initial idea on the entire process, and how it has been organized and explained to clients currently.





Methodology

During our consultation phase we were able to meet with many stakeholders within the Access to Justice community in Saskatchewan, especially those with experience with the family law system, legal education, and working with self-represented individuals.

Across a two-week period, we met over Zoom with Carly Romanow with Pro Bono Law Saskatchewan, Justice Cara Haaf, Joel Janow and other members of the team at PLEA, Chantelle Johnson with CLASSIC, Dr. Judy Jaunzems-Fernuk with the University of Saskatchewan, Charmaine Panko, KC, of Panko Collaborative Law and Mediation, and Carly Sigda-Holyoak from Family Justice Services.

After meeting with these individuals, clear themes emerged regarding creating a process map for the family justice system.

Themes

While there were multiple issues and ideas noted in our consultations, three key themes emerged that were important to our project.

Theme One: Use of Early Family Dispute Resolution

A theme that was expressed by multiple consultees was that there should be an emphasis on the encouragement of the use of Family Dispute Resolution (“FDR”) methods, and it should be highlighted that spouses can come to final agreements during these preliminary

steps, with minimal further court intervention.

FDR as a First Step: The filing of a petition is often seen as the first step; however, family dispute resolution has become mandatory before one can

proceed through the rest of the court system. FDR can be completed prior to the filing of a petition, but must be done prior to the close of pleadings in order to continue on in the process. While formal FDR is required by the court, one consultee noted that discussions can also take place more informally between spouses in what she coins “kitchen table” conversations, where spouses can have open discussion and fully decide to separate and begin the process. Encouraging those who are beginning their separation to utilize this early on in the process, and as many times as is necessary, may help in coming to their own decisions and avoid lengthy court processes.

The use of FDR empowers families to work together to come to their own resolutions.

More Opportunities for Resolution: The inclusion of Judicial Case Conferences (JCCs) in Regina and Saskatoon have also created an opportunity for spouses to meet ahead of other court processes and again have an opportunity to come to a resolution. Through the inclusion of steps like family

dispute resolution and the JCCs, the number of court filings have been decreasing, potentially suggesting that spouses have been able to successfully come to agreements during these meetings, rather than continuing along in court proceedings. These steps allow for self-determination and can be an empowering way for individuals to be in control of their own process and create their own results. Especially for self-reps who are navigating the system without full representation, having multiple opportunities to come to an agreement without accumulating further cost will be more favorable. One consultee said that clients are encouraged to go through the Dispute Resolution Office in order to come to an agreement outside of court if possible. As clients are told what the entire process entails, they often feel discouraged by the length and complexity of the process. Engaging in their own forms of alternative dispute resolution allows individuals to proceed at a faster rate and keeps them out of court. As readers will see in our final resource, we placed special emphasis on FDR.

Theme Two: Process Transparency and Preparation

A second theme that emerged through our consultations is that it is important for people to understand the process in its entirety. This would allow individuals to see the options that are available before them and the different pathways that they could pursue. A map that provides a high-level overview for people would be a beneficial addition to the resources that are currently available.

A Resource Like This is Needed: One consultee noted that there is not

currently a “map” that represents the court process for families. They noted

that a map would be a good visual for individuals looking to understand the context, especially in terms of what the process looks like and roughly how long it could take. This consultee also mentioned how a process map that represents the process in its entirety could help to prepare people emotionally and allow them to prepare themselves for what lies ahead.

This Process is Not Linear:

Despite having a map that demonstrates the process, one consultee cautioned that with any map, there will be variations. One user could jump back and forth between different processes at different points in time throughout their journey. In other words, a map may not be linear, and it is important to alert people to that fact. This consultee's sentiments were echoed by other consultees who mentioned that it would be unrealistic to think that there could be a map that would solely guide individuals through the process in its entirety. Rather, a map could provide a high-level overview and should be designed to work alongside additional supports.

Court is Not the Only Answer:

In our first iteration of our process maps, we set out the first step of the process as the petition. Through one of our consultations, we learned that the process would be better reflected in having a “before you begin” or “are you

A map could provide a high-level overview and should be designed to work alongside additional supports.

ready” option. This pathway would highlight alternative forms of dispute resolution and emphasize options that are available for families to settle matters outside of the court system. This would provide users with a better understanding of their options, and demonstrate to people that the court system is not the only path forward. The importance of demonstrating different pathways, and this pathway in particular, was echoed by another consultee who noted that it is calming for individuals to know that they have options and that court is not their only choice.

Legalese as a Barrier: One of our consultees mentioned that consolidating and providing an overview and definitions of common words, phrases, and legal jargon may be just as helpful as a process map. Confusing terms and unclear phrases are a barrier; they do not provide transparency into the process. They noted that a lot of time is spent simply explaining terminology and legal jargon to users of the system. This consultee raised the suggestion of drop-down boxes or pop-ups that appear when hovering over a word that would contain definitions or additional information. This point reflected a limitation of our resource. We were restricted with regard to what software was available to us, and the tools that we had did not contain the technology necessary to create an interactive resource, beyond inserting links. Future iterations of our resource would ideally have this functionality.

Theme Three: In-Person Support

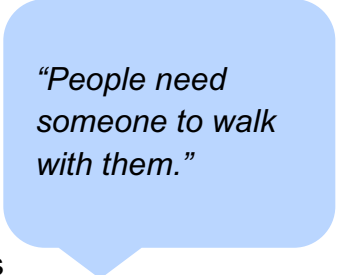
In-Person Support: The third theme that appeared through our consultations was the importance of in-person support. No legal resource, regardless of how comprehensive and well-designed it is, will be able to replace in-person legal assistance. As such, consultees noted that our resource should be designed to **pair** with in-person support, not replace in-person support.

Through experience, one consultee has found that while there is a good amount of information on family law that is available, clients have consistently wanted to speak with a human being and ask specific questions about their legal matter. Clients want to be advised as to what will happen in their individual case. Given the emotions and stress that is inherent in the process, clients have experienced difficulty with reading large amounts of legal information, and would

much rather meet with someone to assist them with legal tasks as opposed to doing it on their own.

Relatedly, another consultee noted that even in our digital age, where information is abundant and readily available, there is no replacement for human-to-human contact. This consultee noted that given Saskatchewan's diverse demographic, there are more and more individuals who need

assistance that are not familiar with the legal system as it exists today.



“People need someone to walk with them.”

These individuals do not necessarily want more information, they want someone to help them. In the words of this consultee: “People need someone to walk with them.”

First Drafts

Following our consultations, we individually created our own drafts of a process map, so we could have different versions to share and receive feedback on. Despite developing these drafts on our own, we were interested to see that our designs closely overlapped, and that we both built upon the high-level map provided to us by Family Justice Services. Both drafts, and our final version, were built using Canva,³¹ which is a free online graphic design tool.

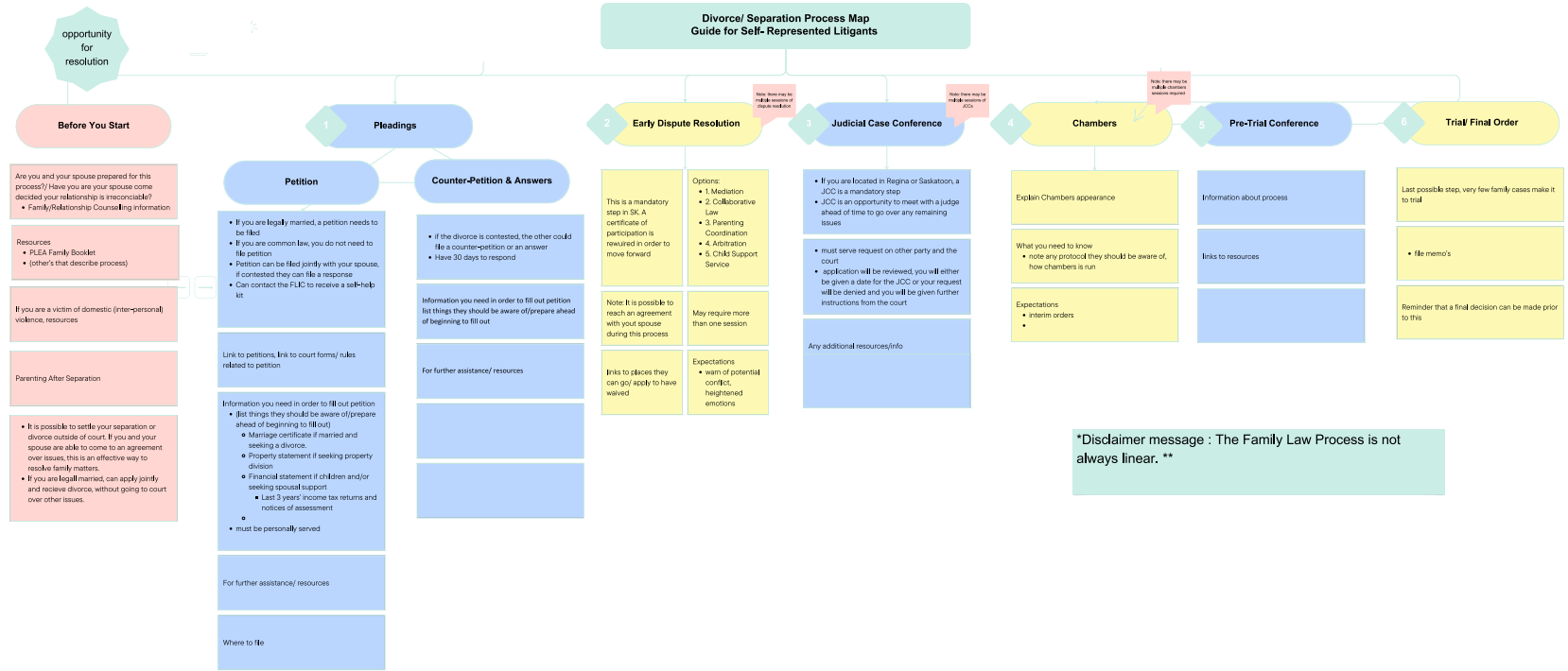
We would like to highlight that our experience in developing the maps was daunting. We found it difficult to know where to begin as the family law court process was new to both of us. The amount of information that we found was overwhelming, and trying to distill it down into essential versus non-essential information was challenging. As third-year law students, we acknowledge that we come from a place of knowledge and understanding that most SRLs do not. In reflecting on our own experience trying to comprehend the system, we gained an understanding of how challenging the process of representing yourself in a family matter is.

Family Law Process in Saskatchewan

Divorce/ Separation Process Map Guide for Self-Represented Litigants

For any additional assistance throughout this process, please contact any of the following (link to)

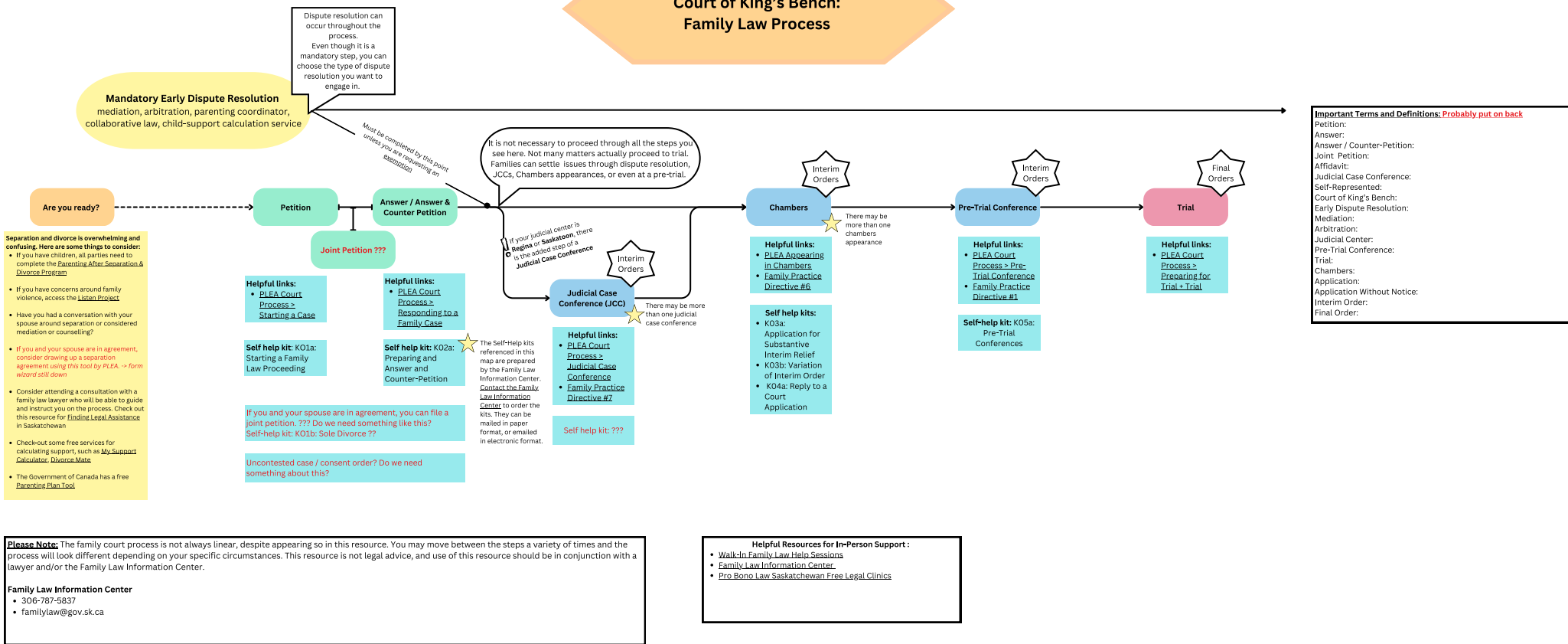
- Family Law Information Centre
- PLEA
- Pro Bono Law Saskatchewan
- CLASSIC



Glossary of Terms

- Petition
- Mediation
- Interim Orders
- Memorandum
- Domestic Violence

Court of King's Bench: Family Law Process



Revising our Resource: Testing & Final Version

To test our maps and receive feedback, we were able to recruit a small group of our fellow law students (we had seven students look at our map in total). We asked them several guiding questions to put themselves in the position of a self-represented individual.³² We were also able to send our drafts back to one stakeholder who we met with during consultations.

We acknowledge that one limitation of our user-testing is that our audience was law-students who have a base of knowledge with regard to the legal system and vocabulary that most SRLs do not. Ideally, a future iteration of user-testing would include SRLs.

With both the students and stakeholder, we were curious to receive comments on the general design and structure of the maps, as well as any areas where more clarity was needed.

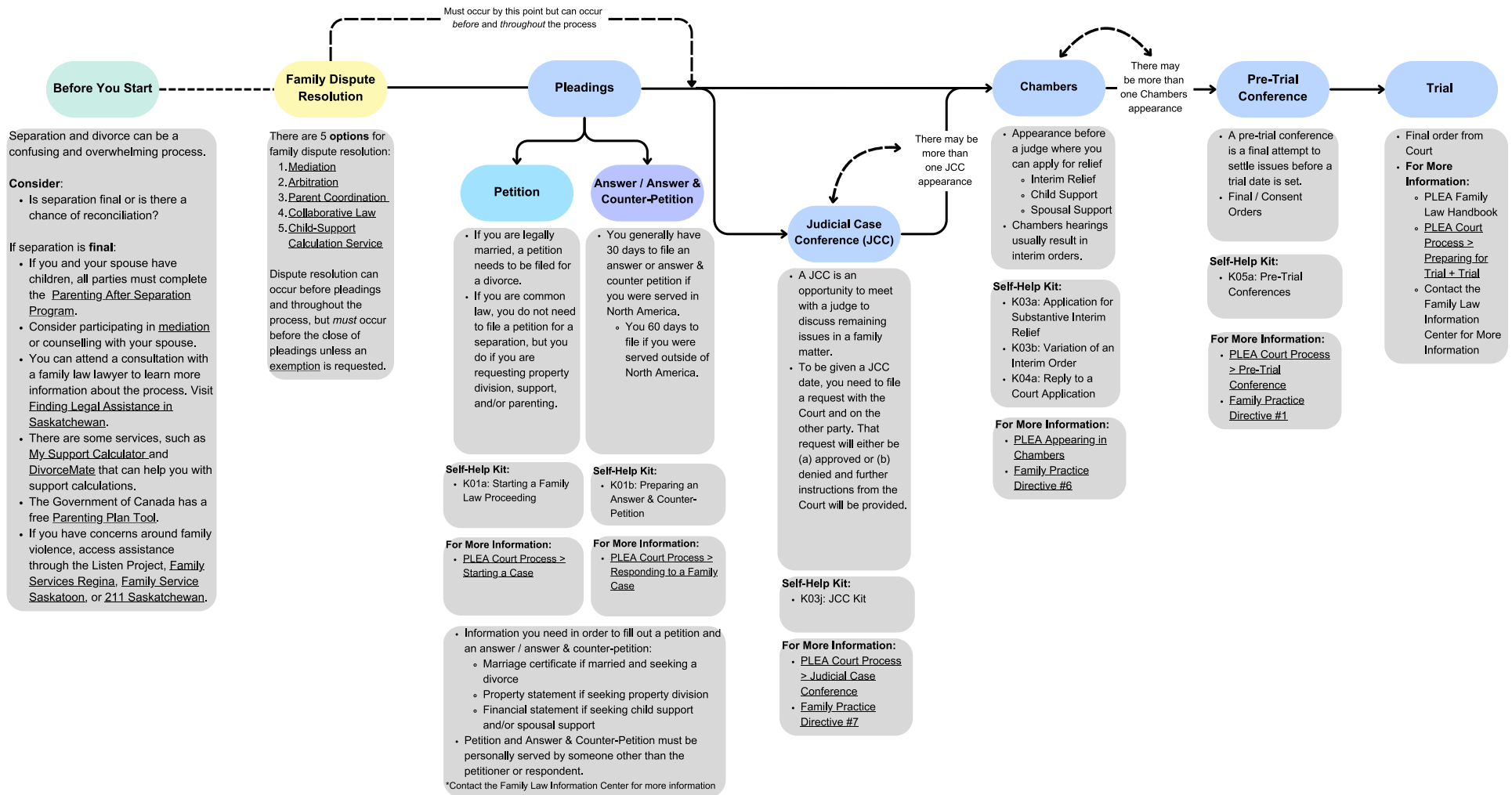
Overall, the individuals we canvassed felt like the map reflected the lengthy process accurately and would work towards preparing a SRL for navigating through the family law system. Our testers felt that they would feel more at ease and prepared if they had a process map to refer back to when entering the system.

Themes that emerged from the feedback we received:

Addition of a Glossary	Emphasize Family Dispute Resolution	Keep the Map as Streamlined as Possible
On both of our draft maps, we had left open a space for a glossary of terms. Our testers strongly encouraged the addition of a full glossary to assist those who are using the map. Without a base understanding of the terms that the map uses, it would be difficult for the map to assist.	Many of our testers recommended that we place a stronger emphasis on family dispute resolution and encourage it to happen at the outset of the process. Testers liked that links to each process were provided, but asked for definitions of each option to be included as well.	Some testers highlighted certain words that could be simplified, or certain areas that needed more/less details. Users preferred a simplified version of a map over a complicated version, noting that any details not included in the maps would ideally be covered by in-person assistance.

To interact with the links embedded in our process map, access an interactive version of our process map [at this link](#), or navigate to **Appendix D** to scan a QR code.

Saskatchewan Family Law Process Map



Please Note: The family court process is not always linear, despite appearing so in this resource. You may move between the steps a variety of times and the process will look different depending on your specific circumstances. Additionally, there may be some steps that you do not reach as your matter may reach a settlement. This resource is not legal advice, and use of this resource should be in conjunction with a lawyer and/or the Family Law Information Center.

Family Law Information Center

306-787-5837

familylaw@gov.sk.ca

*Reach out to the Family Law Information Center for the self-help kits referenced in this map.

For additional assistance throughout this process, please contact any of the following:

- [PLEA](#)
- [Pro Bono Law Saskatchewan](#)
- [CLASSIC Law](#)

See also: [King's Bench Rules](#), Part 15: Family Law Proceedings (the rules of court).

*Refer to the accompanying glossary for important terms and definitions

Saskatchewan Family Law Process Map

Glossary of Terms

Affidavit	An affidavit is a written statement that is sworn to be true.	Interim Order	If you need court orders in the near future you can ask for interim orders. This can be done after a Petition has been issued and served. If you are not the party that started the case with a Petition you must file an Answer and Counter-petition before you apply for interim orders. You request interim orders by filing and serving an Application for Substantive Interim Relief, an Affidavit and Draft Orders. The Application sets out what interim orders you want. The Affidavit provides the court with the evidence you have to support your case. The Draft Orders set out the orders you want the court to make. These cases are decided in Chambers. They can be decided on the parties' Affidavit evidence only.
Answer / Counter-Petition	If you have been served with a petition, you are referred to as the Respondent. If you do not agree with what the Petitioner is asking for, and you would like to ask for your own orders, you will file an Answer / Counter-Petition.	Judicial Case Conference (JCC)	A judicial case conference is a meeting between a judge and the parties to a family law proceeding. Judicial case conferences are only available if your family law matter is in Regina or Saskatoon. If the parties are represented, their lawyers may appear on their behalf. At a JCC, the judge may identify issues between the parties and inquire as to what outcome the parties are hoping for, inquire as to what steps have been taken to reach a resolution outside of court, ensure all requirements are met, grant leave to file an application in Chambers and set a hearing date. This list is not exhaustive, and the judge has the authority to engage in any matter that they believe may help the parties to reach a resolution.
Arbitration	Arbitration is a type of family dispute resolution. The parties to a dispute agree to appoint an arbitrator rather than have the court make decisions. Parties can also agree to have future disputes concerning a family law order or agreement dealt with by arbitration. Unlike a mediator, an arbitrator is given the power to make decisions about how to resolve the dispute. These decisions are called awards.	Mediation	Mediation is an dispute resolution process in which a neutral and independent third person, called a mediator, helps people who have a dispute find a way to resolve it. Mediation is not couples counselling or therapy. Problems that can be solved through mediation include such things as: -who, if anyone, will stay in the family home -where the children will live -how the parties and any children will be supported -how property will be divided The parties themselves are still responsible for making decisions about how to settle matters but the mediator may help the parties find common ground or consider things in a different light. A mediator cannot make an order or force the parties to agree.
Chambers	Chambers is where an application is heard before a judge. Family Chambers usually deals with issues that cannot wait for a resolution at a pre-trial or trial, such as issues around support and parenting. Chambers matters are started with a Notice of Application or an Application for Variation. Typically, the types of orders granted at Chambers are interim orders.	Parenting Coordination	Parenting coordination is a form of family dispute resolution that can only be used if there is already an agreement or court order concerning parenting arrangements. If there is, the parties can agree to use a parent coordinator to try to resolve issues around that order or agreement. Both parties are required by law to give the parenting coordinator any information the coordinator requests to help with parenting coordination. Parenting coordinators can help build consensus between the parties by doing things such as: -Creating guidelines about how the agreement or order will be implemented. -Creating guidelines about communication between the parties. -Identifying and creating strategies for resolving conflicts between the parties. -Providing information about resources for improving communication or parenting skills.
Child-Support Calculation Service	The child-support calculation service is a unique form of early dispute resolution. The child-support calculation service will administratively calculate child support, specifying the amount and the start date of the payments. To utilize this service, parties must meet the eligibility requirements set out in this link . This service will not apply if there is a previous agreement for child support or a court order for child support already in place.	Petition	A petition is the document that begins a family law case in Saskatchewan. If you file a petition, you are referred to as the petitioner. Petitions can ask for a number of different things, such as child support, a divorce, an order for parenting, spousal support, and property division. Petitions also contain information regarding both parties.
Collaborative Law	Collaborative law is a non-adversarial approach to separation that is client-centered. Collaborative law assists people with the issues that they identify as important. Collaboratively-trained lawyers are there to assist the individuals in identifying key issues and communicate constructively. The Collaborative process is unique in that it can take an interdisciplinary approach by involving other specialists who are also collaboratively trained. All parties involved in the collaborative process sign a participation agreement which sets out the parties intention to agree to the way they will work together. This agreement also disqualifies the professionals from assisting the parties should the matter proceed to court.	Pre-Trial Conference	A pre-trial conference is a final attempt to settle issues before a trial date is set. At a pre-trial conference, parties will sit down with a judge and go through settlement options. Usually, a pre-trial conference is half a day to a full day long. Sometimes at a pre-trial conference, some of the issues are settled while others remain unresolved, limiting the scope of what will be heard at trial. The orders that are granted at a pre-trial conference are consent orders and are usually final. The pre-trial conference judge will be different than the trial judge. Parties need to file a pre-trial brief before attending the pre-trial conference, which lays out the issues in dispute, the relevant laws relating to the issues, and evidence that will be presented at trial.
Common-Law	Cohabitated as spouses for a period of time that is not less than two years, or are in a relationship of some permanence if they are the parents of a child.	Trial	The trial is the final step of the process. It is typical for parties to settle before reaching the trial step. At a trial, the Petitioner presents their case first, and then the Respondent presents their case. After hearing all of the evidence of both parties, a judge will make a decision and issue a final order.
Consent Order	A consent order is a court order that reflects an agreement made between the parties.		
Family Dispute Resolution	Family dispute resolution is a process through which parties can attempt to resolve disputes outside of the court system. All family matters that come to a family court in Saskatchewan are required to attempt family dispute resolution by the close of pleadings before they may proceed further. There are a number of dispute resolution processes that are available (mediation, arbitration, collaborative law, parenting coordination, child-support calculation service). In rare cases, parties may be exempted from dispute resolution.		
Final Order	A final order is a decision by the judge that is binding on all parties. Typically, final orders are issued at pre-trial conferences (consent order) and/or at a trial. In limited circumstances, a final order can be varied.		
Family Violence	Family violence is any behaviour by a family member towards another family member that: -is violent -is threatening -forms a pattern of coercive and controlling behaviour -causes a family member to fear for their safety or the safety of another individual The behaviour does not need to be criminal for it to be considered family violence.		

Definitions developed from the following resources:

- [PLEA](#)
- [Courts of Saskatchewan](#)
- [Family Practice Directive #7](#)
- [Government of Saskatchewan Child Support Service](#)
- [Government of Saskatchewan Early Family Dispute Resolution](#)
- [CPLEA](#)
- [Collaborative Professionals of Saskatchewan, Inc.](#)

We tried to keep the same structure as the first maps we received so we didn't miss any of the steps. Although this is not always a linear process, having it laid out this way makes it simpler to understand.

After our meeting with one of our consultees we decided to create a "Before you Start" step because there are steps people can explore before the petition.

Hagan advocates for resources to take a "bird's eye view that swoops in" in her **fourth principle of legal design**. Knowing this, we added links that users can access for additional information when they are ready.

Our users asked us to further emphasize dispute resolution. To do so, we used a separate colour that is eye-catching. In addition, we also emphasized that it can occur throughout the process.

The Canva whiteboard feature is what we chose to build our map on. It utilizes a grid, which allowed our content to be aligned.

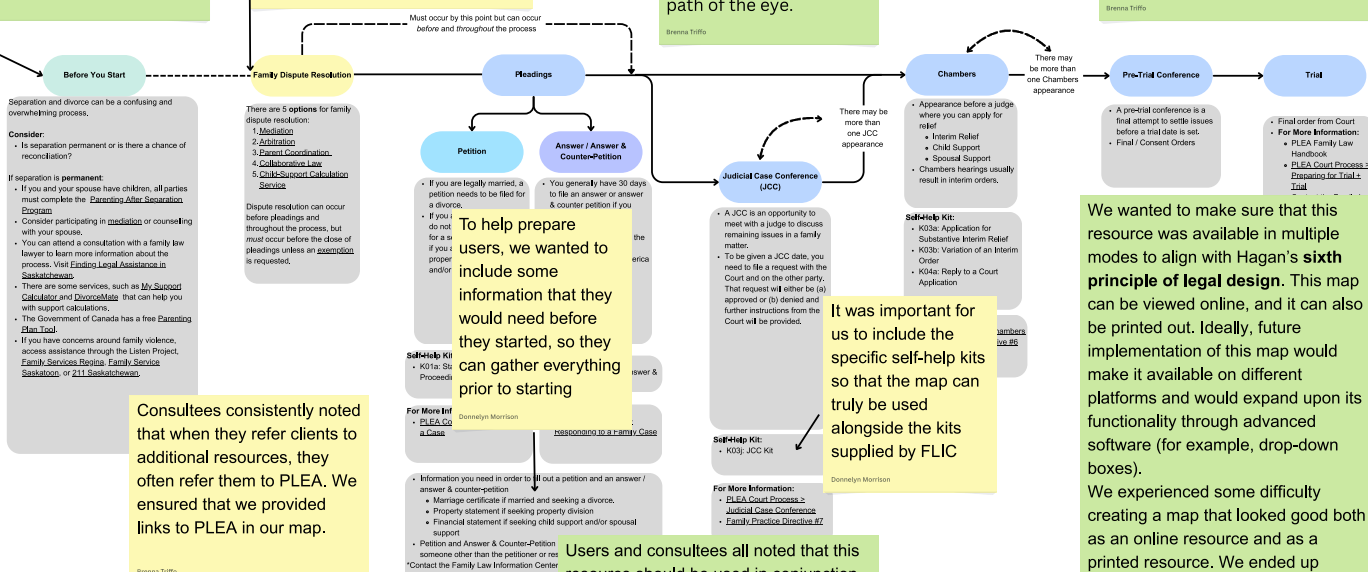
Additionally, we built our map starting from the left to follow the natural path of the eye.

Margaret Hagan's **first principle of legal design** supports legal design that empowers the user and gives them the tools they need to work alongside an advocate. To advance this principle of legal design, we provided a high-level overview of the process so that user's could go into the process informed. Additional tools were provided in the form of links and references to self-help kits.

Hagan's **second principle of legal design** provides that legal design should provide a process-based view of legal systems through showing the step-by-step process a user will take. Our goal was to break our resource into the core steps that a user may take along their journey.

We went back and forth on which font to use. Margaret Hagan doesn't specify whether serif or sans-serif is better (as long as it's not comic sans) but that it should be consistent throughout. We went with 'Arial' as it is very clean and legible. Margaret Hagan suggests that font size should be between 12-16pt. The map uses font sizes between 13-15pt. We used bold sparingly.

We knew we wanted to incorporate some colour to make the map more intriguing, but didn't want to overwhelm. We decided to highlight the individual steps in bright colours, and then leave the supplementary information without bright colours. We kept all the "traditional" court steps as a single colour, so that FDR and the "Before You Start" steps could stand out. We avoided red as it can be triggering.



Please Note: The family court process is not always linear, despite appearing so in this resource. You may move between the steps a variety of times and the should be in conjunction with a lawyer and/or the Family Law Information Center.
Family Law Information Center
 306-747-6837
 familylaw@gov.sk.ca
 Reach out to the Family Law Information Centre for the self-help kits referenced in this map.
 For additional assistance throughout this process, please contact any of the following:
 • PLEA
 • Family Law Support Services
 • Family Law
 See also: King's Bench Rules, Part 15: Family Law Proceedings (the rules of court).
 Refer to the accompanying glossary for important terms and definitions

We wanted to make sure that this resource was available in multiple modes to align with Hagan's **sixth principle of legal design**. This map can be viewed online, and it can also be printed out. Ideally, future implementation of this map would make it available on different platforms and would expand upon its functionality through advanced software (for example, drop-down boxes).

We experienced some difficulty creating a map that looked good both as an online resource and as a printed resource. We ended up creating a "printer-friendly" version (which contains a QR code to the online version). It looks best when printed on 8.5 x 14 or 11 x 17 size paper. Future iterations would either (a) utilize specialty printing services or (b) continue to refine the online resource so that it can easily be printed out using a standard printer.

Hagan's **fifth principle of legal design** says that legal design should be "simple on the front and smart on the back." To conform with this principle, we added a glossary to the back of our resource. Adding this to the back ensured that our primary resource was simple and streamlined. This addition was well-received during user-testing.

Next Steps and Implementation

Our hope for the process map is for it to be used alongside current resources as a guide for SRLs. In designing our map, it was important that it fit into the existing resource framework. During our consultations, we received some assistance from Family Justice Services regarding aligning available self-help kits with the steps in the process and suggestions from other consultees about which online resources SRLs are referred to most often.

We hope that stakeholders with access to advanced software would consider building upon our map by adding additional functionalities, such as pop-ups, the ability to click-to-expand certain steps, or additional information appearing when a cursor hovers over a word. To cater to different types of users, the map would ideally be printed on large double-sided paper, with the map on the front and the glossary of terms on the back.

Measuring Success

We encourage stakeholders to engage with the idea of utilizing and creating user-centered process maps. Options for engagement may could include the following: using and building upon the map we developed, or taking into consideration Hagan's principles of communication design and legal design referenced above and creating one's own map.

One metric for measuring success with regard to relaying information through maps will be to check-in with the SRLs that they are designed to assist. Feedback from SRLs regarding the utility of process maps is imperative to their implementation, growth, and success. Questions posed to SRLs would ideally be centered around Hagan's principles of legal design and communication design. For example, on a practical note, SRLs may be asked what additional "modes" they would like to see the process map available in, or, at a higher-level, they may be asked if they find the maps provide them with the context they need to understand what each step entails and why each step is included.

Conclusion

The process of researching and developing process maps for this project was an eye-opening experience for us. It allowed us to detach ourselves from the role of law students, and adopt the role of a self-represented litigant. Even though we have a base of knowledge that most self-represented litigants do not, the family law process was new to both of us. At first, the amount of information that is available to self-represented litigants appeared to place them into a good position, but as we delved deeper, it became clear that having too much information can become overwhelming.

The resource that we developed is not an answer to all the barriers that are placed before a self-represented litigant. In acknowledging this, we still hope that our resource begins to fill a gap that exists with regard to what is currently available. There are other processes within the family justice system that could benefit from process mapping, and there are high-level processes referred to in our resource that could be broken down into additional process maps. We hope that stakeholders will consider utilizing our resource, or developing their own process maps for the clients that they serve based on the best practices for communication and legal design referred to in this policy paper.

Appendices

Appendix A: Consultation Questions

Note that this is just a bank of the questions we asked consultees. Not all consultees were asked each question. Rather, questions were assigned to consultees based on their experience and expertise.

Questions Surrounding Pre-Existing Resources:

1. There are many options for resources for clients. One of our aims is to link to available resources in our process map. In your experience, are there any resources that have proven to not be helpful to clients that you would suggest we do not link to? On the other hand, are there resources that have consistently proven to be helpful to clients that you suggest we do link to?
2. How would this resource align with other resources that are currently available?
3. Family Justice Services has the family law self-help kits which are a valuable resource for self-represented litigants. In looking to pair these kits with a process map, which kits align with each stage of the process?
4. What family law forms align with the steps in the family law court process? Is this outlined in the self-help kits, or would it be beneficial to add these to a process map?
5. In your experience working with clients navigating the family law system, have process maps or flowcharts been helpful? What stands out to you as the most helpful features of process maps that we should utilize in our resource? Are there any features of process maps that we should stay away from?

Questions on the Needs of Self-Represented Litigants:

1. How do you think that a process-map will be an effective way to assist SRLs navigating the family justice system?
2. What could be helpful about having a process map that could provide a reference for a self-rep navigating through the system? In a process map, what would be the most important processes or steps to highlight?

3. From your perspective, what do you think would be the most important or beneficial information for a self-rep to have in order to prepare for a JCC and the family law process in general?
4. What are some common questions asked by individuals navigating through the system? What information do you think will be the best to highlight for a self-rep?
5. What are some common areas where individuals get “stuck” when navigating through the process? What information do you think will be the best to highlight for a self-rep?

Question Surrounding Implementation:

1. We hope to have a finished draft of the resource at the end of this, what are your thoughts on potentially implementing a map based on this resource in the future?

Questions on Design and Legal Education:

1. What are some of your ‘best practices’ when it comes to legal education and creating a visual map that is easy to understand while conveying important information?
2. When creating a resource for individuals who may be experiencing periods of stress and trauma, are there certain words or phrases that we should avoid?
3. The family law process is inherently stressful for individuals who are navigating through it, especially individuals who do not have the benefit of legal representation. In recognizing this need to be trauma-informed, we are wondering if there are certain design choices or education strategies that we should be cognizant of when creating our process map.

Appendix B: User-Testing Questions

Thank you so much for agreeing to take a look at our project. Attached are two versions of a process map for the family law system that we would love to get your feedback on. Below are some questions to help guide you, but any comments you have would be helpful.

1. If you were to step into the role of a self-represented party entering the family law process, do you feel this map adequately prepares you for what lies ahead?
 - Self-represented party = navigating the process on your own without a lawyer
2. If you were to step into the role of a self-represented party entering the family law process, are there any words or phrases on this map that are unclear to you and you feel would benefit from additional explanation?
3. If you were to step into the role of a self-represented party entering the family law process, do you feel like this map clearly conveys where you can go for help / legal assistance?
4. What is your first impression upon viewing these maps? Are you overwhelmed or confused? Do you feel informed or empowered?

Appendix C: Additional Works by Margaret Hagan

For those who are interested in viewing how Margaret Hagan applies her design principles, visit this link: <https://www.margarethagan.com/drawings/illustrated-law-flow-charts/>

For those interested in reading more about legal design, visit Margaret Hagan’s blog, Open Law Lab: <https://www.openlawlab.com/blog/>

Appendix D: QR Code



Appendix E: AI Log

At the beginning of our project, we explored some AI websites to learn what they would produce with regard to a process map of the Saskatchewan Family Court System, based on the principles outlined by Margaret Hagan. This is our log of AI usage.

Date	What GenAI Tool did you use?	How did you use it (e.g., prompts used)?	How did the tool do / perform?
January 22, 2025	ChatGPT	Redesign this flowchart (uploaded Family Justice Services charts) using the guidelines set out	While ChatGPT didn't output a visual, they did give some directions as to flow, colour,

		in this website https://lawbydesign.co/	shape, and phrasing that could be used.
January 22, 2025	Mymap.ai	I input the directions from ChatGPT into the prompt field (I didn't copy/paste them here because they were very lengthy)	They did pretty good, they provided a map based on the guidelines from ChatGPT. I like that they used soft colours and made it easy to follow. However, it certainly was not near detailed enough.
January 22, 2025	NoteGPT	I input the directions from ChatGPT into the prompt field (I didn't copy/paste them here because they were very lengthy)	This AI did not perform as well as Mymap.ai. They created a vertical map, which we do not feel aligns with the recommended principles of legal design, which recommends a horizontal map as it follows the natural path of the human eye.
January 22, 2025	ChatGPT	Asked them to break down the family law process in SK	Gave a pretty good explanation of all the steps. Also came up with its own disclaimer that we can adapt to use on our version.

Appendix F: An Example of an Interactive Process Map

Steps to Justice: Your Guide to Law in Ontario developed a set of three interactive flowcharts (process maps) titled “Steps in a Family Law Case.” These maps contain many of the functionalities that future iterations of our resource would ideally have. For example, the steps are “clickable” and each step brings you to a page that contains more information. When clicking on important terms, definitions and further explanations pop up.

Click this link to view: <https://stepstojustice.ca/family-flowcharts/about/>

Sources

¹ Access Committee on Access to Justice in Civil and Family Matters, *Access to Civil and Family Justice: A Roadmap for Change*, (Ottawa: Action Committee on Access to Justice in Civil and Family Matters, 2013) at 2 [*Cromwell Report*].

² Bryce Stoliker & Lisa Jewell with the collaboration of Brea Lowenberger & Heather Heavin, *A Legal Needs Survey in the Province of Saskatchewan: Perspectives of Lawyers and Legal and Non-Legal Service Providers* (University of Saskatchewan, 2023) at 9 [*Legal Needs Survey*].

³ *Ibid* at 10.

⁴ CBA Access to Justice Committee, *Reaching Equal Justice: An Invitation to Envision and Act*, (Ottawa: Canadian Bar Association, 2013) at 22 [*CBA Report*].

⁵ *Cromwell Report, supra*, note 1 at 13.

⁶ Law Society of Saskatchewan, “Accessing Legal Information in Saskatchewan 2024” (2024), online (infographic): <<https://www.lawsociety.sk.ca/wp-content/uploads/SK-Legal-Infographic-2024-WEB.pdf>>.

⁷ *Ibid*.

⁸ Law Society of Saskatchewan, “Family Law in Saskatchewan” (2022), online (infographic): <<https://www.lawsociety.sk.ca/wp-content/uploads/2022/10/SK-Family-Law-Infographic-WEB.pdf>>.

⁹ Stanford Law School, “Margaret Hagan” (last visited 22 February 2025), online:

<[>.](http://law.stanford.edu/margaret-hagan/#:~:text=Margaret%20Hagan%20is%20the%20Executive,system%20work%20better%20for%20people.></p></div><div data-bbox=)

¹⁰ Margaret Hagan, *Law by Design* (published online: lawbydesign.co/) at ch 1 [Hagan, *Law by Design*].

¹¹ *Ibid*.

¹² *Ibid* at ch 4.

¹³ *CBA Report, supra*, note 4 at 22 .

¹⁴ Hagan, *Law By Design, supra* note 10 at ch 1. Hagan notes that the feelings of “dumbness” that are alluded to above are “exacerbated by the emotions of the problem [the individual is] trying to deal with” (*ibid*).

¹⁵ Donald Gordon, “Toxic Stress and High Conflict Cases”, *Family Lawyer Magazine* (21 February 2019), online: <familylawyermagazine.com/articles/toxic-stress-and-high-conflict-cases/>.

¹⁶ *Ibid*.

¹⁷ Consultation with Dr. Judy Jaunzems-Fernuk (10 February 2025).

¹⁸ Margaret D Hagan, “A Human-Centered Design Approach to Access to Justice: Generating New Prototypes and Hypotheses for Intervention to Make Courts User-Friendly” (2018) 6:2 *Ind JL & Soc Equality* 199 at 226 [Hagan, “Human-Centered Design”]. See also Creately, “Simplify Legal Processes to Your Clients Using Visual Tools” (5 January 2023), online (blog): <<https://creately.com/blog/strategy-and-planning/legal-process-improvement/>>.

¹⁹ Hagan, “Human-Centered Design”, *supra* note 18 at 220–21.

²⁰ Margaret Hagan, “Communication Design for Lawyers” (last visited 22 February 2025), online: <lawbydesign.co/design-process/communication-design-for-lawyers/> [Hagan, “Communication Design”].

²¹ *Ibid*.

²² Hagan, *Law by Design, supra* note 10 at ch 4.

²³ Hagan, “Communication Design”, *supra* note 20.

²⁴ *Ibid*.

²⁵ *Ibid*.

²⁶ *Ibid*.

²⁷ Hagan, *Law by Design*, *supra* note 10 at ch 4.

²⁸ *Supra*, note 17.

²⁹ Consultation with Joel Janow, Cherie Jarock, & Jocelyn Gagne (4 February 2025).

³⁰ See generally Michaela Keet, Heather Heaven & Shauna Sparrow, “Anticipating and Managing the Psychological Cost of Civil Litigation” (2017) 34:1 Windsor YB Access Just 73.

³¹ Canva, “Canva: Visual Suit for Everyone” (last visited 22 February 2025), online: <www.canva.com/>.

³² See Appendix B.