



## **The BC Family Justice Innovation Lab A Report on the Strategy Session held September 25, 2018**

### Introduction

This document provides a summary of the discussions between the coordinators and supporters of the BC Family Justice Innovation Lab (BCFJIL, the “Lab”), from 1:00 – 4:30 PM, September 25, 2018, at the BC Courthouse Library in Vancouver. This report is a snapshot of the Lab’s evolution to that date.

The intent of the meeting was to: To reflect on and review the major changes in the BC Family Justice Lab over the last three years (since 2015) and to surface vision and priorities for the next three years. The agenda for the meeting is provided in **Appendix A**.

The meeting participants included:

- Rahul Aggarwal
- Marilyn Beloff
- Kari Boyle
- Nancy Cameron,
- Jayme Cochrane
- Stephanie Fabbro
- Ann Lee
- Jane Morley

The meeting was convened by the BCFJIL staff team (Kari Boyle – Coordinator, & Jayme Cochrane, Senior Designer) and facilitated by the initiative’s Developmental Evaluator (Mark Cabaj).

## 2.0 Our Starting Point

The meeting participants began the meeting by reviewing the context for the Lab. The following summarizes the discussions.

The case for the Lab is clear. Its creators want to ensure that families transitioning through separation or divorce (including their children) maintain or improve their well-being and resilience, and avoid increased ‘toxic stress’ or ‘mental health’ pressure. The Lab’s mission (long term goal) is:

*Long term Goal: To improve the journey of families throughout BC experiencing family transition, such as separation and divorce, resulting in increased resilience and well-being.*

This mission has significant implications for the family justice system. While incremental change is based on the idea that the ideas and structures that drive the behaviours of a system are ‘roughly right’, but simply need to be improved, transformational change is based on the idea that the very paradigms underlying the structures and practices of a system need to change.

Putting families’ mental and emotional well-being at the center of the BC family justice system is a model for enabling radical, transformational change. While the challenge of increasing access to justice has been a priority for system leaders for quite some time, the idea that the mental and emotional health of families should be a central driver of justice service design is new. The Lab is one the first initiatives to make these ideas explicit and central to reform efforts. A meeting participant from outside the formal justice system was “dismayed” that these ideas and goals are not yet more mainstream.

The Lab developed these working definitions of the two key concepts of well-being and resilience:

*Well-being: The mental, physical, and spiritual health and resilience of families*  
*Resilience: The ability to respond successfully to the challenges of family transitions including separation and divorce*

The Lab’s stated pre-conditions to the long-term goal (the “how”) are defined as follows:

*The BC family justice system will support the well-being of families experiencing transitions such as separation and divorce when individuals and organizations, both inside and outside of the system, experiment together using a human-centred design approach that is systemic, participatory and experimental.*

The ‘how’ of the Lab continues to develop. While previous family justice reform efforts aimed to make the system more accessible and effective for families, they ended up becoming too complex, expensive and time-consuming to make a tangible difference. Lab participants want to be action-oriented to effect meaningful and tangible change for families.

To achieve this action-oriented approach, the Lab adopted a Framework for Change<sup>1</sup> which aims to create a ‘space for family-centered innovators to try out new ideas that may be worth scaling up’. The Lab’s Framework for Change includes the mission, definitions, pre-conditions and a list of principles and processes (see below) which needs to be revisited, refined and reduced to a tight list of key values (in rough order of priority).

We will:

- provide a supportive space for innovation in the family justice system
- learn and practice new approaches to systemic change. In particular, we will combine the human-centred design iterative approach (empathize, define, ideate, prototype, repeat) with adaptive / systemic leadership approaches (Mindset, methodologies and methods) in order to navigate through complex system change
- remember to embrace “failure” as a key learning opportunity
- recognize that we cannot plan everything; rather, the process is evolutionary
- acknowledge that learning takes time and that we cannot do it alone
- build partnerships through convening, engaging, communicating and advocating
- support the prototypes and initiatives with expertise, guidance and tools
- facilitate a smooth “hand over” of tested prototypes to partners and collaborators for implementation and scaling
- use developmental evaluation to allow continuous learning and improvement and to distil and share lessons between the initiatives

The Lab’s implementation strategy over the last three years has been learning-by-doing. The Lab team has tested these ideas and methods in a variety of settings and initiatives in order to see what kinds of learnings and results might emerge.

### 3. What has changed in the last three years?

This section summarizes the Lab Group’s exploration into what has changed over the last three years (2015-2018) in the following areas:

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<sup>1</sup> The complete Framework for Change as at September 2018 is set out in Appendix “B”.

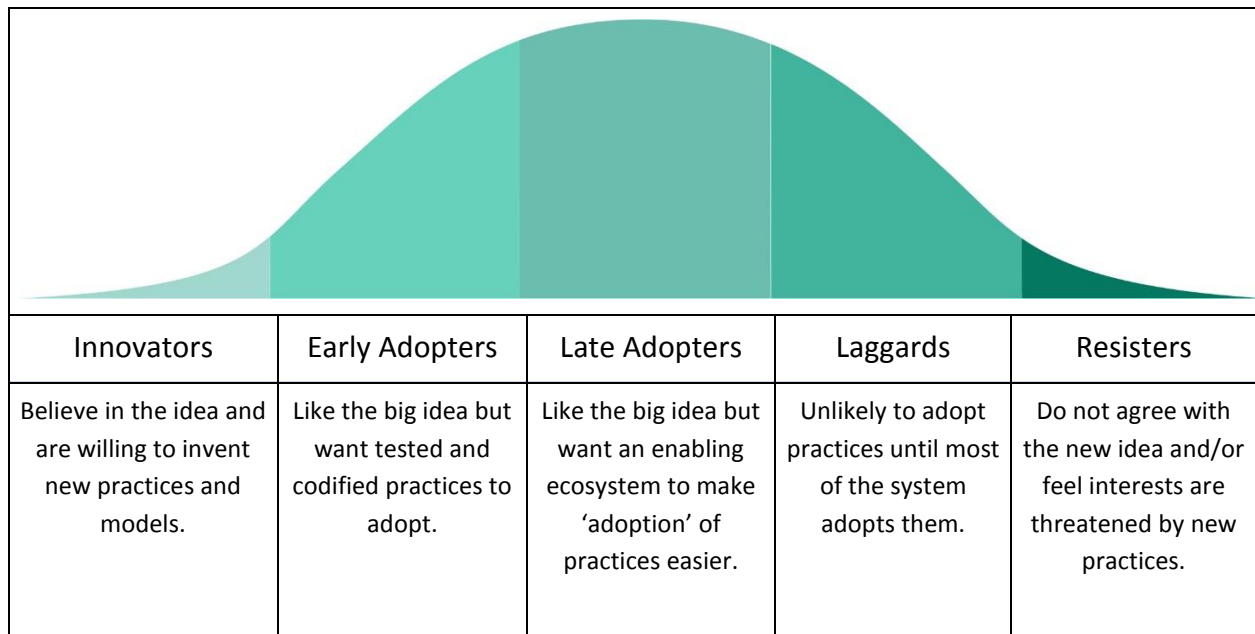
- the Public
- the Family Justice System
- the Field of Change
- the Lab itself

### 3.1 The Public

The “#MeToo” and Reconciliation movements are symptoms of a much deeper demand for change in larger society. The justice system is not immune to this demand. There continue to be formal and informal ‘calls for change’ in the justice system in response to stories of separating families falling between the cracks, their inability to gain meaningful access to information, processes and support, their interest in non-legal alternatives and in exploring the potential of technology to improve the family experience.

### 3.2 The BC Family Justice System

The BC family justice system contains the typical spectrum of people interested in placing family well-being and resiliency more at the center of their work. This can be illustratively captured in the Innovation Diffusion Curve.



Some meeting participants feel that attitudes in the system have shifted from innovators to early adopters over the last three years (that is, that more system participants were interested in this concept). However, others were more cautious and shared the following observations:

- “Extreme resisters are leading the charge against change and are more prevalent in the system than we think”
- “Lots of yeasayers until money is on the line”
- “Smile and nod re early adoption but if comes to own practice – resist”
- “Yeasayers: resisters who aren’t resisters until they have to be”

While the paradigm for some system actors might be changing, it also rubbing up against the ‘legal’ worldview and structures, which many consider sacrosanct. Real change is slow and painstaking.

The group considered the story of a parent struggling with the provincial court system and FMEP, which raised a number of systemic problems.

### 3.3 The Lab Field

The Lab field itself is evolving rapidly. There are at least 60 Labs in operation across Canada addressing issues related to a wide variety of important issues including poverty and racism, child welfare, early childhood development, food security, energy transition and resource management. A small percentage of these Labs, such as the Shift Lab in Edmonton, employ a human-centered design approach.

While there is a great deal of emerging practice from the work of Labs, there continue to be questions about the struggle to scale the innovations that emerge from Labs, how to continue development of the methodology, and how to best fund development and scaling.

The BCFJIL is one of the few initiatives in North America using a Lab approach for improving the well-being of families. Others include the Winkler Institute in Toronto, the Legal Design Lab at Stanford (Margaret Hagan) and the Access to Justice Lab at Harvard. The BCFJIL is one of the few that organizes its work using a systemic human-centered design approach.

### 3.4 The Lab Itself

The group explored the progress of the Lab itself in three areas:

### **3.4.1 What financial, human and network capacity did we develop?**

Participants identified three areas of progress:

- Growth of resources of various types including:
  - Funding (Vancouver Foundation, Giving Well, J.W. McConnell Family Foundation / Innoweave, Law Foundation of BC)<sup>2</sup>
  - Access to Mark Cabaj, developmental evaluation coach
  - Lab website, blog and social media tools
  - Access to free venues offered by Courthouse Libraries BC
  - Facilitation and coaching from Open Road Communications, Vancouver
- Partnerships and networks including relationships with:
  - Access to Justice BC
  - Ministry of Attorney General (including learning re service design and behavioural insights)
  - Other labs through the Converge conference in June 2018
  - SFU and RRU
  - Courthouse Libraries BC – as the Lab’s sponsoring charitable organization
  - Leaders of all Lab initiatives
  - Participants and organizations involved in the Youth Voices initiative
- Staff resources provided by Kari Boyle and Jayme Cochrane; Lab team resources provided by a dedicated group of multi-disciplinary volunteers and family members

### **3.4.2 What progress did we make in building and testing the Lab?**

Participants identified the following key activities:

- Testing the Lab model, mostly through the Youth Voices initiative and Pathfinder
- Supporting the participating initiatives, mostly through developmental evaluation coaching/support, innovation guidance, convening meetings, human-centred design expertise
- Relationship building, ally development – particularly with the legal community, multi-disciplinary participants and family members
- Persevering
- Getting the word out about the Lab through:

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<sup>2</sup> It was noted that one barrier to further funding is the Lab’s legal status. It is not a legal entity and cannot on its own seek charitable funding. The Lab team is grateful for the willingness of the BC Courthouse Library to act as sponsor but the question is whether this is the best model moving forward.

- The Story of the Lab (published in the Windsor Yearbook on Access to Justice, 2017)
- Presentations
- Website, blog and social media
- Converge conference
- Building credibility with system stakeholders
- Lab branding (including upcoming enhancements)
- The Lessons Learned process – sharing and learning across all Lab initiatives (led by Mark Cabaj)
- Co-creation of the Aids for Action tools (with Mark Cabaj and Access to Justice BC)
- Helping to shift the system dialogue and language used (“prototype” vs. “pilot”, “user-centred” & “user-designed” vs. “user-testing”, “complex” vs. “complicated” etc.)
- Learning about and experimenting with developmental evaluation.

### **3.4.3 What are our results and learnings?**

The group brainstormed a list of what they saw as the major results and learnings to date:

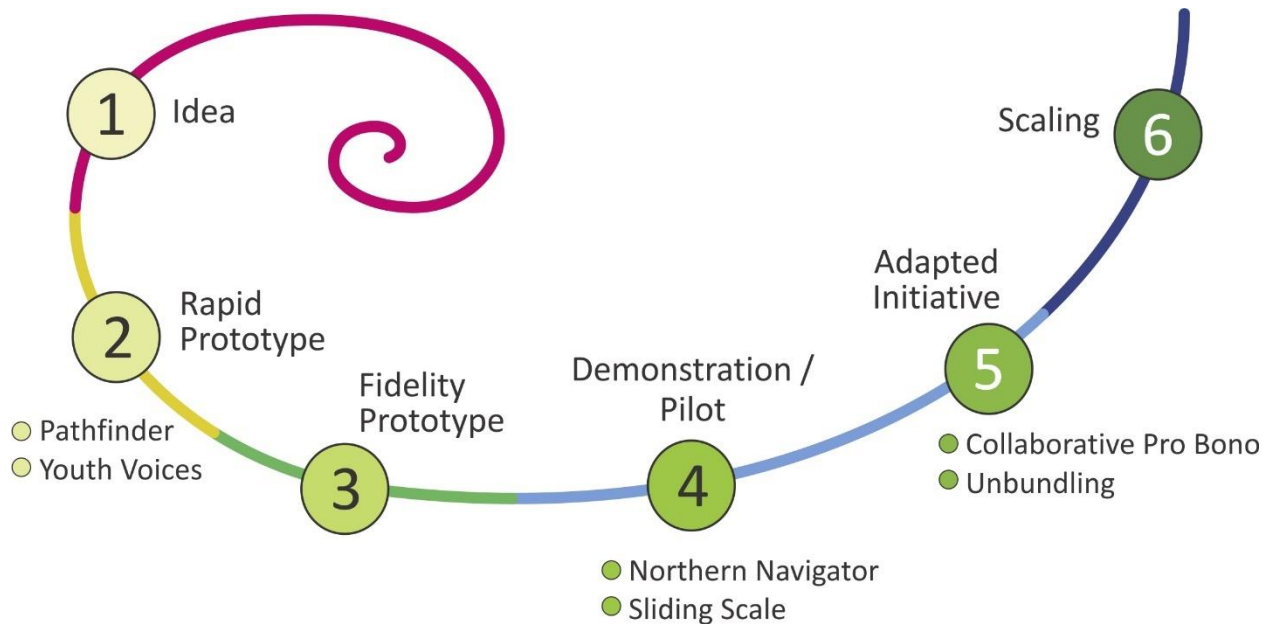
- All of the lessons (design challenges, principles and possible practices) identified in the “Lessons Learned” process
- The difference between complex, complicated and simple problems and the implications for how to approach them (e.g. how to design the family justice system to improve the well-being of families is a complex rather than a complicated problem and so requires understanding that we don’t have all the answers.)
- The power of human-centred design
- The power of “well-being” as a central part of the mission
- How collaboration is essential
- The layers of a system and how important it is to go deep into culture, power and mindset
- What it means to be part of a “movement”
- That this work is a marathon not a sprint
- The value of multi-disciplinary teams and diversity of perspectives
- How lectures alone will not change human behaviour
- Why it is important to not fear failure but to learn from failure and move on

### 3.5 Initiatives

The Lab gathered six diverse initiatives within its portfolio:

- Youth Voices
- Northern Navigator
- Sliding Scale (since discontinued)
- Collaborative Pro Bono
- Unbundling
- Pathfinder

The initiatives are in different phases of development on the continuum of innovation:



To support the initiatives, the Lab participants identified that the Lab has provided three types of supports:

Type	Description	Example
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Build & Drive	The Lab team leads the development and implementation of the initiative.	<ul style="list-style-type: none"> <li>• Youth Voices</li> </ul>
Support & Amplify	Another team of innovators takes the lead but the Lab supports them in a variety of ways.	<ul style="list-style-type: none"> <li>• Pathfinder</li> <li>• Northern Navigator</li> <li>• Collaborative Pro Bono</li> </ul>
Stamp & Brand	Another team of innovators develops, but the Lab promotes the initiatives as an exemplar of the kinds of approaches that should be adopted.	<ul style="list-style-type: none"> <li>• Unbundling</li> <li>• Sliding Scale</li> </ul>

## 4. So What?

This section explores conclusions drawn from the meeting participants about the first three years of Lab activities.

### 4.1 The impetus for the Lab and its initiatives remains clear.

There are signs of a noticeable increase in the awareness of BC family justice system actors pertaining to the importance of family well-being. There are some promising actions and behaviour changes to achieve that goal. However, these shifts are modest: it will require a relentless and sustained series of nudges to make deep, durable and sustained changes in the system.

The Lab's emphasis on systemic thinking, participatory processes and experimental approaches provides family-centric innovators in the system with a unique space to try out new ideas.

### 4.2 The Lab has developed capacity.

The Lab team and participants have developed some basic capacity in three areas: basic lab processes by assisting a half-dozen initiatives (e.g., Northern Navigator), systemic human-

centered design (e.g. Youth Voices), and developmental evaluation (e.g. Lessons Learned Report). This provides a foundation upon which to build a next iteration of the Lab.

#### 4.3 The results of the initiatives have been modest.

There is some very early evidence that some of the initiatives associated with the Lab have expanded access and increased well-being and resiliency (e.g., the BC Family Unbundling Roster, Northern Navigator).

However, the small scale of the Lab (called ‘dosage’ in the language of evaluation), coupled with the fact that it is still a young initiative, is holding the Lab back from even greater impact.

#### 4.4 A shift to a hybrid Lab model.

Participants discussed three different ways that the Lab could contribute to improving well-being of families who are encountering the BC family justice system.

Type	Primary Focus	Assessment
Production Model	To incubate, support, implement and scale successful family-centric innovations.	<ul style="list-style-type: none"> <li>• More direct and tangible impact</li> <li>• Easier to communicate</li> <li>• Difficult to ‘tip’ a system</li> </ul>
Alignment Model	To incubate and support family centric innovations which are used as “exemplars” to inspire and catalyze the actions of other innovators, policy makers and funders.	<ul style="list-style-type: none"> <li>• More leverage for systems change</li> <li>• Less direct and tangible impact</li> <li>• Harder to communicate</li> </ul>
Hybrid	A mixed approach that combines elements of production and alignment plus a separate consulting service to support innovators (advice, design, convening, tools, techniques etc.).	<ul style="list-style-type: none"> <li>• Combines direct and indirect impact</li> <li>• More difficult to manage and communicate</li> </ul>

The meeting participants felt that the Lab should continue towards a modified hybrid which included (a) pursuing a production model for the next several years, with an emphasis on producing some scalable innovations with tangible impact, (b) building expertise and capacity to support innovators through consulting/convening services and then (c) preparing to ‘pivot’ to embrace an alignment approach once the Lab has more capacity and credibility.

## 5. Now What?

Lab participants discussed and identified five sets of implications for their work.

### 5.1 Tighten & Elaborate the Framework for Change

- Confirm that the Lab’s ultimate goal is the well-being and resiliency of family members (including children) who interact with the BC family justice system.
- If the Lab’s activities achieve improved well-being and resiliency there will be a “deep change, an earthquake of the soul”<sup>3</sup> in the BC family justice system.
- Revisit principles:
  - Explore how they can be framed to be more ‘active’ (e.g., we promote and support experimental approaches in the search of solutions in the BC family justice system).
  - Determine whether to include a principle relating to the focus on the voice of the child.
  - Revisit and update the Lab’s core values and attempt to reduce them to four or five.
- Focus on ‘four’ ways that Lab can add value:
  - Model the Lab approach.
  - Share & disseminate activities, results and learnings.
  - Support others to apply systemic human-centred design approaches and developmental evaluation through tools, lessons learned, consulting, failure reports etc.

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<sup>3</sup> One participant’s stated hope for the Lab’s impact on the BC family justice system.

- Advocate for systems and policy change:
  - Change required to scale up successful innovations
  - Change that creates the eco-system for the Lab’s mission: e.g., advocating to funders to include ‘increase family well-being and resiliency’ as a funding criterion.
- Strengthen the Lab’s Model and ‘continuum’ of innovation:
  - Add implementation, adaptive initiatives and scaling to the Lab’s current focus on idea generation and prototyping.
  - Pursue stronger relationships with Access to Justice BC in order to strengthen adaptation and scaling opportunities
- Eventually, begin to ‘pivot’ to a hybrid model in which Lab outcomes are used as exemplars to encourage wider systems change (alignment) and the Lab supports innovators through strategic consulting services focusing on family-centric innovation, systemic human-centred design approaches and developmental evaluation
- Explore the creation of a new incorporated entity with charitable status which could seek and receive funds for charitable purposes to support the Lab and other access to justice-related organizations in BC.

## 5.2 Initiative Development

- Focus on Youth Voices as the main driver for developing multiple prototypes and iterations and showcasing the potential of the Lab’s family-centric and human-centred design approaches.
- Based on the outcomes of the Youth Voices initiative, produce three innovations that deserved to be scaled – the first time the Lab has employed ‘targets’ in its work.
- Seek opportunities to support others through consultancy services (Pathfinder, MyLawBC, etc.)
- Develop clearer criteria for selecting prototypes and scaling successful experiments. For example, prioritize initiatives that can become stand-alone projects and possibly spin off into separate entities.

### 5.3 Communication

Strategically strengthen the Lab's external and internal communication:

#### External Communication

- Set aside time and time resources for the Lab team and participants to document the Lab work.
- Establish a central hub for all Lab writings, resources and tools, including the Lessons Learned Report, Youth Voices resources etc.
- Develop an ongoing visual account of the key milestones of the Lab, including key events, to help understand the evolving nature and progress.
- Consider creating a video series:
  - Vignettes in written or video to show up the system can 'mess up lives' as well as how it can assist.
  - Stories of how families have been positively impacted by innovations or policy changes

#### Internal Communications

- Consider preparing audio recordings of meetings as a record for new Lab participants.

### 5.4 Evaluation

Build on the developmental evaluation practices developed over the last three years:

- Add measurements to the Lab's definitions of well-being and resiliency, as well as methods that innovators can use to track improvements in these areas.
- Be more deliberate gathering, analyzing, and preparing success stories of innovations and how they impact families to address concerns that 'families are being positively impacted' (e.g., surveying the Unbundling Roster members to obtain some stats on how many families they have served since joining the Roster).

- Consider assessing the extent to which the Lab principles are (a) meaningful to Lab participants, (b) influence their work, and (c) lead to results (aka principles-focused evaluation) in the next assessment of the Lab.
- Continue to gather and make sense of lessons learned using the Aids for Action.

## 5.5 Business Model

Complement the Lab’s current focus on securing operating grants to mobilizing two other types of resources:

- Strive to become the ‘go-to’ place for human-centred design in the BC justice sector and experts in the field, and provide support on a fee-for-service basis. Work towards being able to help new labs get started by providing frameworks and systems for how to operate a ‘social innovation’ Lab.
- Develop, test, refine and distribute tools and resources (personas, meeting designs, tools and techniques, evaluation frameworks like A2JBC’s Triple AIM) that were developed through ‘Research and Development’ or ‘Capacity Building grants’ from funders. Pursue through partnership with Access to Justice BC and others.

## 5.6 Capacity

Increase the capacity of the Lab in the following five areas<sup>44</sup>:

### Lab Stewardship & Facilitation

- Two full time staff persons with coordination and design expertise
- Begin succession planning for Kari
- Develop a pool of specialists with process and content expertise (e.g., design thinking, facilitation, prototyping, evaluation)

### Participants

- Expand the number and diversity of Lab participants

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<sup>44</sup> There is a need for stronger infrastructure in the access to justice field in BC. The Lab has a critical role to play in the larger A2J ecosystem, with A2JBC and others. The needs in this section could change depending on what resources might become available as the ecosystem evolves.

### Physical Resources

- Physical space to host meetings, facilitate prototyping.
- Technology that can be used to assist with Lab communication (e.g., web platform, engagement tools), as well as ‘test’ different engagement and access techniques

### Partnerships

- Strengthen and confirm the Lab’s relationship with other ‘access’ initiatives, especially, the relationship with A2JBC, ACE (UVic) and the Access to Justice Tech Lab (in development)
- Justice System Organizations (e.g., CLBC, CBABC, Law Foundation)
- Key organizations from systems that overlap with the formal justice system (e.g., MCFD, Ministry of Education and Health)

### Funding

- Secure sufficient, stable and multi-year funding to ensure that the Lab is not a ‘side-of-the-desk’ enterprise.
- The budget should include:
  - Staff time
  - Prototyping related costs: e.g., studies, research, evaluation
  - Travel and accommodation for conferences/meetings
  - Communication materials

## 6.0 Looking Forward

The September 25, 2018 strategy meeting was an important milestone in the evolution of the BCFJIL.

As of that date, the Lab team and active supporters moved from the emergent Lab 1.0 phase, with its emphasis on project-by-project learning, to a Lab 2.0 phase, with an upgraded framework for change and ‘targets’ for initiative development.

The immediate next steps to formerly begin the 2.0 journey, as identified during that meeting, include:

1. Draft a Report of the September 25, 2019 strategy discussions.

2. Review draft report with meeting participants in early November, 2019.
3. Upgrade the Lab's Framework for Change:
  - Revise the systemic human-centred design model
  - Add the elements of implementation and scaling in the innovation continuum
  - Elaborate on the four principles
  - Revisit and update the Lab's Values
  - Integrate 'metrics' for family well-being and resiliency
4. Expand initiatives:
  - Identify and hone ideas and concepts from Youth Voices to drive the next round of prototyping, implementation and scaling
5. Develop a communication action-plan:
  - Complete the Lab re-brand work with Jayme
  - Disseminate an external version of the Lessons Learned Report
  - Prepare an external report on Lab Progress (as the next chapter of the Story of the Lab)
6. Work on Partnership & Funding:
  - Prepare a report to the Vancouver Foundation - done
  - Connect with Jane Morley to discuss synergies with Access to Justice BC
  - Continue to partner with other organizations to promote Lab concepts and approach
  - Develop and implement a strategy to mobilize the greater level of effort and capacity required in the next iteration of the Lab



## Appendix A: Agenda

### BC FAMILY JUSTICE INNOVATION LAB Strategy Session Tuesday, September 25, 2018 | 1:00 – 4:30

#### Participant Agenda

**Intent:** To and reflect on review the major changes in the BC Family Justice Lab over the last three years and surface vision and priorities for the next three years.

**1:00 Opening**

- Welcome
- Intent & Agenda
- Housekeeping

**1:10 Our Starting Point**

- What was our original intent?
- What was our 'framework for change'?
- What was our strategy?

**1:30 What?**

- What financial, human and network capacity did we develop?
- What progress did we make in building and testing the Lab?
- What are our results and learnings?
- What has shifted in our context?

**3:00 Break**

**3:15 So What?**

- So what do we want to accomplish in the next three years
- So what are our top three challenges we must address to make this happen?

**4:00 Now What?**

- What are our immediate next steps to move forward on our vision and plan?

**4:15 Close**

- Summary
- Reflections
- Thank You

**APPENDIX B**  
**LAB FRAMEWORK FOR CHANGE**  
**As of September 2018**

*Long term Goal: To improve the journey of families throughout BC experiencing family transition, such as separation and divorce, resulting in increased resilience and well-being.*

Working definitions of the two key concepts of well-being and resilience:

*Well-being: The mental, physical, and spiritual health and resilience of families*

*Resilience: The ability to respond successfully to the challenges of family transitions including separation and divorce*

The Lab's stated pre-conditions to the long-term goal (the "how") are defined as follows:

*The BC family justice system will support the well-being of families experiencing transitions such as separation and divorce when individuals and organizations, both inside and outside of the system, experiment together using a human-centred design approach that is systemic, participatory and experimental.*

Principles and Processes:

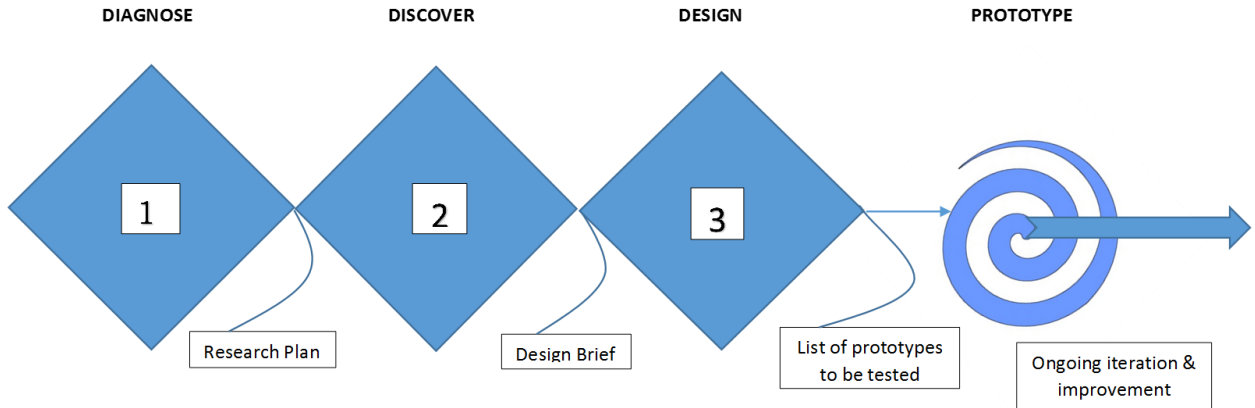
We will:

- provide a supportive space for innovation in the family justice system
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- remember to embrace "failure" as a key learning opportunity
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The Lab Systemic Human-Centred Design Model:

## BC Family Justice Innovation Lab

### Systemic Human-Centred Design / Triple Diamond Approach April 23, 2017



#### Diverse, Multi-disciplinary Workshops

1. Youth narrative workshop
2. Sensemaking - Interpret the research gathered; create the design brief
3. Idea generation – diverge and then converge