

BC COLLABORATIVE ROSTER SOCIETY (the “Roster”)

DIRECTORS REPORT 2019:

The purposes of the Roster, as set out in the Constitution, are:

- To administer a roster of collaborative professionals who have met a minimum standard of training and experience and who will abide by an established code of conduct
- To provide educational opportunities to build skills for collaborative professionals to assist in providing access to collaborative practice throughout the province
- To facilitate public access to collaborative professionals
- To promote the expanded use of collaborative practice in dispute resolution
- To enhance the profile and credibility of collaborative practice in the province.

The “Vision” of the Roster is to transform how conflict is resolved in British Columbia through Collaborative Practice.

The “Mission” of the Roster is to maintain and support a roster of qualified professionals in British Columbia dedicated to excellence and respect in the healthy resolution of disputes in our *communities*.

In 2013 the board developed a 3 year Strategic Plan which has been revisited and updated by the board, including at the board retreat of 2018.

The 3 key objectives of the Strategic Plan are:

- supporting professional excellence
- increasing public awareness and use of collaborative practice, and
- strengthening organizational capacity.

We continued to be guided by the Strategic Plan throughout 2019.

Supporting Professional Excellence:

Trainings

We held the regular periodic CP Introductory Training in June 2019 at UBC Robson Square, which was a financial and substantive success. The training received excellent attendance as well as a great deal of positive feedback. There were 33 registrants (11 mental health specialists, 2 financial specialists, and 20 lawyers.)

The coaching members of the board held a one day coaches’ retreat in late 2018 which was also well attended and had much positive feedback. The feedback was overwhelming that coaches want to continue having similar retreats This is part of a drive by the Roster to expand and strengthen the pool of divorce coaches in the Lower Mainland.

Another step towards strengthening the coaching base was a full day training put on in October 2019 by the Roster with Karen Bonnell. This training was also well attended and we hope to bring Karen up for an advanced training in 2020.

We will be organizing additional trainings for our members in 2020 to further support our collaborative professionals to achieve excellence in the work that they do.

Precedents

Over the past year, the Policy and Practices Committee of the board worked on revising the Collaborative Process Lawyer's Participation Agreement (the "PA"). The revisions were made to address various policy and practice issues which have arisen in discussions and case law since 2014. We produced a final revised version in July 2019 which was widely circulated through Vancouver and other provincial groups along with the message that it is important for the success of any particular collaborative practice, and collaborative practice in B.C. as a whole, that we use a consistent PA which addresses current legal and practice concerns.

The New Provincial Court Rules

In March, 2019, the B.C. legislature amended the Provincial Court Family Rules to add section 5.01 titled: "Early Resolution and Case Management Model". The "Early Resolution Requirements" have applied since May 2019 in the Victoria registry as a type of pilot project. The amendments in section 5.01 have since been revised and incorporated into draft new comprehensive Provincial Family Court Rules to be rolled out province wide in 2020.

Section 5.01 and the new draft Provincial Family Court Rules (collectively, the "New Rules") set out a requirement that any party wishing to commence litigation must first engage in mandatory consensual dispute resolution ("CDR") unless screened out as an inappropriate case to do so. Consensual dispute resolution is defined to be mediation, collaborative process or facilitated negotiation with a Family Justice Services Division officer.

During 2018 and 2019, the government members drafting section 5.01 consulted directly with members of the board representing the Roster. The drafters were very responsive to the concerns raised by us about ensuring that the New Rules mean parties are referred to competent collaborative law practitioners and are screened appropriately. We also had direct input into the language in the New Rules and into the forms, including a requirement that collaborative process must involve a signed PA if it is to qualify as CDR for purposes of the New Rules.

The board has now been approached to give submissions on a discussion paper about the draft Provincial Family Court Rules being rolled out next year.

The revised PA was also forwarded by the board to the legislators and Victoria Provincial Court staff working with the pilot project.

The board has also committed to providing collaborative process training in January 2020 to the Family Justice Counsellors and interviewers working at Victoria Justice Access Centres on the pilot project.

The CDV Newsletter

We instituted a regular contribution by the board to the Collaborative Divorce Vancouver newsletter about Roster work and other relevant CP developments

Strengthening Organizational Capacity:

Finances

Our membership presently stands at 38 members. We have had, and expect to continue to have, new members applying to the Roster upon reaching the required minimum number of completed collaborative cases and meeting the training requirement. We are committed to growing our membership. We also continue to actively seek out more experienced collaborative practitioners to join the Roster, with success during 2019.

We had a very good year financially thanks to income generated by the introductory training and a very significant B.C. Law Foundation grant awarded to the Access Collaboration project instituted by the Roster.

Board Health and Capacity

Abby Petterson, Yuval Berger, Patti Daum and Catherine Brink will be reappointed directors as of November 29, 2018. Bev Churchill, Deirdre Severide and Nikki Charlton will be resigning as directors as of November 21, 2019. At the retreat, the board will discuss further board capacity and potential new directors.

The following committee's operated throughout the year:

- **Membership Committee:** Chair: Deirdre Severide. Abby Petterson, Mark Smith and Marge Thompson.
- **Policy and Practices Committee:** Chair: Stephanie Fabbro. Nikki Charlton, Justine Mercer and Anne DeMeulemeester.
- **Access to Collaboration Committee:** Chair: Catherine Brink, Deirdre Severide and Yuval Berger.
- **Honouring Nancy Committee:** Chair: Justine Mercer. Bev Churchill and Catherine Brink.
- **Training and Education Committee:** Chair: Stephanie Fabbro. Nikki Charlton, Marge Thompson, Abby Petterson and Lindsey Jespersion.
- **Coaches Committee:** Chair: Lindsey Jespersion, Co-Chair: Yuval Berger. Abby Petterson and Mark Smith.
- **Tenth Anniversary Celebration Committee:** Chair: Stephanie Fabbro. Nikki Charlton, Patti Daum, Deirdre Severide and Justine Mercer.

- **Website Committee;** Deirdre Severide.

Increasing Public Awareness and Use of CP:

Access to Collaboration

We have continued our work on the Collaborative Pro Bono Project and fixed fee model now under the umbrella name: Access to Collaboration.

On November 29, 2019 there will be a pro bono training for the Victoria collaborative lawyers. This is in part to promote Access to Collaboration and also to work with Victoria collaborative practitioners to support their participation in the Victoria pilot project with the mandatory CDR component. It is hoped to connect some of the Victoria collaborative lawyers with the staff at the Justice Access centres who are implementing the pilot project.

In 2019, the Access to Collaboration project received repeated honorable mention in the report of the National Action Committee on Access to Justice in Working Towards Accessible Justice: Tracking Progress on Canada's Justice Development Goals in 2018. In the words of the Committee's chair, Beverly McLachlin, "I commend those who are taking risks, experimenting and investing in new ideas."

The board applied for a grant from the Law Foundation of B.C. to help fund the Access to Collaboration project in 2019. The application entailed a significant amount of work and was a resounding success. The board is receiving funding for the project over the next two years in the amount of approximately \$26,000.

The Tenth Anniversary of the Roster Celebration

A significant amount of work was carried out by the board in 2019 to plan a Tenth Anniversary Celebration for the Roster at the Law Courts Inn on November 20, 2019. Approximately 200 people were invited. The event is intended to be a celebration and promotion of the Roster and collaborative process.

Honouring Nancy Cameron, Q.C.

In gratitude to Nancy, and to honor her for founding the Roster and all of her many years of work as its president and on the board, and currently in a special role as advisor to the board, the Roster established at UBC law school an annual award in Nancy's name.

Nancy Cameron, Q.C. Prize in Family Law

A \$2,000 prize is offered annually by the BC Collaborative Roster Society in honour of Nancy Cameron, Q.C. (B.F.A. 1984, LL.B. 1987) for a J.D. student who has excelled in a clinical course with a focus on family law.

The prize runs for a minimum of five years and the board worked hard to find donors to fund the award in the total amount of approximately \$10,000 to avoid placing that financial burden on the Roster.

The board is also establishing a regular scholarship in Nancy's name to be awarded to a participant in the Roster's introductory training.