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PRACTICUM SETTING: Institute of Law Research and Reform
The University of Alberta
Edmonton, Alberta

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A. Introduction

The following paper purports to analyze social work functions using a client system in a macro (vs. micro) setting using General Systems Theory (primarily following Pencus and Minahan's model).

Though the client system in a macro setting tends to be an organization, community or a segment of/or society; in general the practitioner is still able to analyze social worker functions, notes, tasks and activities according to the basic framework. One's conception of the client, target and action system is merely broadened - the operation principles remain the same. To illustrate

"Social work has been firmly based in its activity to facilitate processes of individual, group, and community relationships in connection with institutional arrangements. The major emphasis of its efforts has been toward enabling people to make use of the institution for the enhancement of themselves and society.... At this point in social development, the struggle has gone beyond enabling people to find an institutional connection in order to enhance individual and social development. The relationship between people and institutions now involves the process of institutional transformation. In the process, the issue of institutional relevance¹ and responsiveness has some basis for resolution"

From the above quote by Setleis, then comes the concept most social work authors today refer to as a relationship of "private troubles to public issues" (eg. C. Wright Mills) and it is into this sphere of the macro system that social policy finds itself.

As this practicum setting's focus was social policy, some time will be spend defining this arena of practice.

1

Lloyd Setleis, "The Practice of Social Work", by Klenk and Ryan (Wadsworth Publishing Co.; Belmont Calif. 1974) pg. 310-311.

Alfred Kahn refers to social policy as:

"the explicit or implicit core of principles, or continuing line of decisions and constraints, behind specific programs, legislation, administrative practices, or priorities. This work concentrates on major policy options facing general social services and on the connections between the choice of specific options and the implementation (programming) strategies that follow. In other words, social services do not merely replace or seek to correct the family or earlier social forms. They are also new responses to new social situations. They are social inventions that seek to meet the needs of modern man..." 2

Martin Rein³ further regards social policy as a study of history, politics, philosophy, sociology, and economics of the social services (social services having a wide definition - encompassing education, cash transfers, housing, social work). His concern is with how services have developed and changed over time and stresses when outcomes seem undesirable or inadequate they then must be changed.

The above definitions, therefore, can be applied to the practicum setting - the Institute of Law Research and Reform and seen in the context of the social policy definition (the family as a social institution in society, undergoing undesirable outcomes, i.e. breakdown in terms of economics, philosophy of; [as a result of divorce or separation] - leading to inadequate meeting of basic human needs and integrating this social policy with legal policy in the hope of a major reform.

Though the practicum setting was in a different profession, the similarities can be seen - legal policy is social policy made into law.

2 Alfred Kahn, "Social Policy and Social Services"; (Random House, New York, 1973) pg. 8-16.

3 Martin Rein, "Social Policy; Issues of Choice v. Change"; Random House, New York, 1970) pg. 3 and 4.

Prior to incorporating the project into the model the writer will explain the function, policies, history and mandate of the Institute (which from here on shall be seen as the change agent).

B. History and Working Process of the Alberta Insittute of Law Research and Reform

The Institute's offices are located on the fourth floor of the Law Centre on the University of Alberta campus - room 402.

1. Events Leading to Establishment

In 1964 the Benchers of the Law Society of Alberta established a "Law Reform Committee", composed of 14 members of the judiciary, the legal profession and members of the Faculty of Law. This committee operated on a voluntary basis and made one major set of recommendations re: limitation of actions in tort (enacted by the Legislature in 1966 - Part 9 of the Limitations Act) plus recommending a series of various other legal reforms. However, as the body operated on a voluntary basis and the need was seen for a full-time, formal law reform unit; therefore the Insittute of Law Research and Reform was officially founded on November 15, 1967; being established jointly through the Government of Alberta, the Law Society and the University of Alberta.

By way of its "constitution" the Institute is seen to have 4 major objectives:

- (a) to conduct and direct research into law and the administration of justice;
- (b) to consider matters of law reform with a view to proposing to appropriate authority means whereby the law may be made more useful and effective;

- (c) to promote law research and reform; and
- (d) to these ends, to work co-operatively with the Faculty of Law of the University and others.

As of an April 1, 1976 agreement, funding for the Institute is based on a 60% contribution from the Alberta Law Foundation and a 40% contribution from the Alberta Attorney General's Department; based on a budget approved by the Attorney General. The University of Alberta provides the physical setting and handles all financial matters.

2. Board and Staff Composition

The Institute is headed by a Board of Directors composed of 9 members from various sectors of relevant fields though all have legal backgrounds. Present members are:

Judge W. A. Stevenson - Chairman
 W. F. Bowker, Q.C. - Director Emeritus
 Margaret Donnelly
 R. P. Fraser, Q.C.
 Dr. M. Horowitz (U. of A. representative)
 W. H. Hurlburt, Q.C. - present Director
 Ellen Jacobs
 J. P. S. McLaren
 W. E. Wilson

The full-time legal staff of the Institute (defined as legal research officers) consist of 11 members:

W. H. Hurlburt, Q.C. - Director
 Gordon Bale - Associate Director
 Thomas W. Mapp - Deputy Associate Director
 Margaret A. Shone - Counsel
 Vijay K. Bhardwaj
 W. M. Brown
 Melanie Towle
 Iain Ramsay
 Andrew Hudson
 Douglas McLean
 Dr. Olive M. Stone

3. Relationships to Other Law Reform Commissions

Every other province in Canada (with the exception of Prince Edward Island) has a Law Reform Commission and added to this is the Federal Law Reform Commission, located in Ottawa. Correspondence is maintained with all of the above as well as with a number of reform bodies throughout the world (i.e. New Zealand, Australia, England, etc.). The Institute's major role is similar to that of most others; i.e. to suggest law reform; however one major difference is that the Institute was created by agreement vs. statute. As such the Institute is separate and independent of the Government of Alberta. It therefore, maintains complete freedom in its selection of projects of study - though a good number are undertaken at the suggestion of the of the government.

Another variation from most other Law Reform Commissions is that the Institute has a mandate not only to investigate and recommend law reform; it also has a mandate to conduct research apart from that leading to direct law reform recommendations (hence the name difference from most other bodies). Also an increasingly important function is the drafting of Legislation for the government - which is now being included in any set of reform recommendations sent to the government.

One final note. Though not specifically stated in its objectives the Institute generally concentrates on provincial law reform vs. federal (which is the area of study for the Canadian Law Reform Commission). Of necessity, the two do overlap in situations such as Family Law. In these terms then it becomes very difficult for the provincial Legislature to enact changes; it must be a joint undertaking. This difficulty has been felt in the recommendations for a Unified Family Court and also in divorce legislation - the Divorce Act is a federal statute while the provinces have jurisdiction over the Domestic Relations Act; Family Court Act etc. and necessary reforms may not be possible simply under those provincial acts.

D. Working Process

The Institute's "constitution" also empowers the Board to appoint various advisory committees for certain projects. The remainder of this paper will then deal with the Matrimonial and Child Support Committee - of which the writer was a part during the course of the practicum placement.

Committee members were composed of members of both the social service and legal professions:

- Vijay Bhardway - Legal Research Officer for the Institute, who heads the project
- Gayle G. James, Professor. University of Calgary, Faculty of Social Welfare
- Wm. H. Hurlburt from the Institute
- Gordon Bale from the Institute
- J. Shaver - Alberta Health Care
- Vivien Lai - Director, Social Security Division, Alberta Social Services and Community Health
- Anne Russell, Legislative Planner
- Iwan Saunders, Professor, Faculty of Law, University of Calgary
- Karol Krotki - Professor, Department of Sociology, University of Alberta.

1. History of the Matrimonial and Child Support Committee

Requests or suggestions for projects come from a wide variety of sources - the Board of the Institute, the government, individuals or groups in the community. The decision to undertake a project is made by the Board who then ask a member of the Institute's legal staff (or on occasion a qualified consultant) to do the research.

The research in the past has usually consisted of an examination of the basic law, its defects, law in other jurisdictions, statements of reform. Until recently there has been an internal committee (i.e. composed of Institute staff only) to

deal with the finds and objectives of each project (the Board then acts as an overseer of the committee).

On a few previous occasions external members have been co-opted into the committees because of their areas of expertise. Generally these have been legal experts, however with the Institute's current focus on Family Law a number of lay professionals with an expertise in the social service field - this has been especially true for the Unified Family Court project - have become integral to the functioning of the committee. The reasons for this are obvious. Though the legal framework of the law can be changed there may be decidedly important social, economic ramifications occurring within the system, and legal reform (1) may not know of their existence and (2) may not, simply by amending law, change othersystems (implicitly or explicitly operating). To this end then external members contribute valuable and necessary information and skills.

The Faculty of Social Welfare's association with the Institute began with the Unified Family Court and has continued on to the Enforcement Project and on to Matrimonial and Child Support.

The suggestion for the present project was initiated by V. Bhardwaj of the Institute and the present committee has been operating since September, 1976.

Assessment of Problem

In 1974 the Institute issued a working paper on Matrimonial Support and out of this came an additional concern about the apparent uncollectability of support payments. (Support payments can be defined as those orders from either Supreme or Family Court which instruct a separated/divorced spouse to pay certain monies - generally monthly - to either his wife and children, children or ASS & CH). The problem perceived was one of a province with a high divorce rate; uncollectable and small amounts of support payments and thus leaving a large number of

single parents on social assistance. The feeling was that a less costly (both in economic and social terms) method of dealing with the issue should be found.

Thus far an enormous amount of research has gone into the project. The committee is dealing with major changes in a major cornerstone of society - the family. Again the need can be stressed for experimental input of a wide variety of sources.

The objectives of the committee have been to firstly, study the current situation in Alberta (especially Family Court) in terms of numbers, data collection, compiling of relevant research in the area; information on other jurisdictions and to finally gather opinions/criticisms from notable experts in the area.

Once the committee had this base to function from; work was begun in the area of writing a proposal for formal funding of the project - notably to submit to National Health and Welfare in Ottawa - to conduct a research project to (1) study areas of concern (2) then to have a solid basis for recommendations for reform. (Mr. Bhardwaj initial recommendation was the establishment of a service along the lines of medicare - only serving those divorced or separated). The time limit on this project is seen to be approximately 2 years. In the interim the Alberta Legislature has recently passed new legislation tightening enforcement procedures (as of November 10, 1977).

N.B. Of note the Institute as a body does not prioritize projects in any form; however due to the length and importance of Family Law reform, this project is seen, unofficially as a priority. With this background (albeit somewhat condensed) the paper hopes to examine the project in light of systems theory).

2. The Institute and Committee Examined From a Social Work Frame of Reference

According to Pincus and Minahan:

"Each helping profession needs its own perspective or frame of reference for viewing the situations it is concerned with. Such a framework should reflect the purpose of the profession and provide it with a unique handle for dealing with those situations. Three characteristics of the social work fram of reference reflect the types of social situations to which social work practice is addressed."⁴

These 3 characterstics are then defined as (1) performing life tasks (2) interacting with resource systems and (3) relations to public issues.

(i) Performing Life Tasks

"first dimension of the social work fram of reference directs attention to the tasks people are confronted with in social situations and the resources and conditions necessary for⁵ facilitating the performance of these tasks."

When examined in this particular practicum setting the focus is on the planning level. The Institute of Law Research and Reform (the Board) and the committee as agents of the Board have a global responsibility to help all those in society - who are div./sep/ or potentially so - meet common human needs (vs. helping a specific individual). These common human needs are seen to be such items as food, shelter, etc. They must focus on how to enact/suggest legal and social policy that will allow the sum total of individuals to carry on their life tasks, alleviate their distress and reach their desired goals.

For example, how do we allow a separated/divorced male to meet his responsibilities in relation to his first family; yet allow him to re-marry, maintain a desirable relationship with the children of his first marriage, and economically survive, etc.

⁴ Allen Pincus and Anne Minaham "Social Work Practice; Model and Method" (F.E. Peacock Publishers Inc., Itasca Ill.; 1973) pg. 9.

⁵ pg. 11

Obviously the law has a responsibility to allow the above life tasks of the man to be within his reach but the change agent focus' is on the whole target population - not one specific individual.

(ii) Interacting With Resource Systems

To this end then there can be seen to be 3 types of resource systems operating within the project. These will be described below and examples of pertinent members included.

(a) Informal - families affected by Family Law. The focus would be to provide better linkage/communications between families.

(b) Formal - (membership organizations/ formal associations which promote the interests of the members)

eg. - Alberta Law Society
 - Members of the Alberta Bar
 - Alberta Association of Social Workers
 - Judges of Family, District, Supreme Court.

(c) Societal - Alberta Government - specifically the Attorney General (Jim Foster) and his Department.

- Solicitor General
 - ASS & CH

Federal Government - National Health and Welfare (there is now a link between the two - provincial and federal - as a result of Avrim Lazer (Department of Justice) and Maureen O'Neill - Long - Range Planning of National Health and Welfare (also Sharon Sutherland).

eg. of the Provincial linkage is Vivien Lai (ASS & CH) and Vijay Bhardwaj - of the Institute.

- Family Court
 - Supreme/District Court

In using the work of (Insittute) the committee we are focusing primarily on an interaction and linkages between the committee and the systems listed above. We have an organization (vs. an individual) in interaction with its network of resource systems. Some concerns re: resources

(i) The Institute has no method of feedback from their resource systems ie. there is no policy of anyone actively going to the resource systems on a continuing basis - ie. Family/Supreme Court to allow for personal observations vs. printed procedures.

(ii) There are so many resource systems involved in this area they tend to frustrate the effectiveness of the system, i.e. 3 government departments in Family Court (A.G, S.G., ASS & CH - 3 different policies in one physical setting/system.)

3. Relating to Public Issues

"Issues have to do with matters that transcend local environments of the individual and the range of his inner life. They have to do with the organization of many such mileau into institutions of an historical society as a whole, with the ways various mileau overlap and interpenetrate to form the larger structure of social and historical life. An issue is a public matter: some value cherished by publics is felt to be threatened." ⁶

This is the area previously referred to by social policy authors as private troubles converting to public issues. and in the social work frame of reference most manifested by the Institute. Its very function is to convert private troubles towards becoming public issues. For example the private troubles include the divorced/separated spouse unable to collect support orders, having no economic resources, nor marketable

employment skills, having to rely on social assistance, also the husband unable to make adequate support payments and possibly facing a period of incarceration. These have been converted to public issues by the Institute - by researching the area and making new recommendations for reforms in legal/social policy so as to alleviate the private troubles i.e. implementing possibly a fund for divorced/separated spouses so they do not have to rely on social assistance; incorporating some form of upgrading into the reform, etc.

Summary

To summarize briefly then the macro setting lends itself to a social work frame of reference; however it focus' on global/ societal vs. individual aspects of social situations.

3. Knowledge Base

encus and Manahan define knowledge statements as observations about the world and man that can be verified in some fashion.

Doing a social work practicum placement in a legal setting necessitated two separate and somewhat distinct knowledge basis for the student. Indeed a good deal of the initial work in the setting was spent on familiarizing the writer with an adequate knowledge of Family Law to understand and contribute to the project.

(a) Legal Policy

Besides understanding the basics of Family Law, other specific important knowledge basis' included:

- (i) familiarity with provincial acts - Domestic Relations Act, Alimony Enforcement Act, Maintenance Order Act, Alimony Enforcement

Act, etc. and their jurisdictional limits vs. federal acts i.e. Divorce Act and its ramifications, implications on the system.

- (ii) Knowledge of 3 court systems - Family, District and Supreme and again their jurisdictions and it's implications.
- iii) The actual steps in obtaining a divorce - contested vs. uncontested - lawyers roles in the procedure - "what happens in a lawyer's office".

(b) Social Policy (Social Work)

(i) Imperative in this placement, as in any other is a sound knowledge of basic social work skills, i.e. communication, group dynamics, etc. Added to this however was a specific knowledge of social policy - how private troubles are turned into public issues and how the worker then handles these public issues to gain desired outcomes (specific authors - Kahn, Rein, seminars by Shiffrin, Woodsworth).

(ii) General Systems Theory

(iii) Management by objectives - Time Management, etc. - some form of setting goals for the student and project is a necessary knowledge base because of (1) time constraints (2) large amount of information to be learned.

(iv) Integrating the legal and social policy, being able to observe the two integrate and the effect this causes - eg. how Family Court relates to Supreme Court and vice versa; roles of social workers, maintenance recovery workers, clerks

of the court, judges, lawyers and how they complement/contradict each other.

(v) Being aware of informal systems - often not being aware of an informal system operating will cause conclusions to be based on erroneous information i.e. 1,200 active files in Family Court vs. 8,000 - knowing how/where/why the information was given to the project.

4. Value Bases

Value bases were as was knowledge bases, stemming from 2 professions - legal v. social work. Appendices # 1 and 2 (Legal Code of Ethics and Social Work Code of Ethics, respectively) are attached to the back of the paper and will be referred to in discussing this section. Differences and similarities will be referred to as they operated for the student in the placement.

1. Social Work Value Base

Pincus and Minahan define values as "beliefs, preferences or assumptions about what is desirable or good for each man." ⁷

As opposed to knowledge, values cannot be scientifically examined, they are socially defined and accepted at face value. We are right or wrong according to our beliefs, and, as can be seen when comparing different cultures, there are different rights and wrongs - according to the values imperative to that culture.

In considering values this is always the dilemma the social worker faces - to realize value differences, respect them yet operate effectively professionally according to the code of ethics (see Appendix 3 for N.A.S.W. values basic to practice.)

The Social Work Code of Ethics is modelled closely after the Legal Code; however is not as all-encompassing as all social workers do not have to be members of the association.

2. Legal Value Base

Because the Institute is staffed by lawyers they operate implicitly and explicitly under the Legal Code of Ethics - to do otherwise could possibly mean dis-barrment from the profession. The legalvalue base is not as all-encompassing in terms of viewing the individualin a holistic manner - its tends to compartmentalize him by problems (generally legal in nature).

3. Similarities and Differences of the Value Bases

Generally, as previously stated, the 2 codes are very similar both stress

- (a) integrity
- (b) competence and quality of service
- (c) confidentiality (an issue which is clearer for lawyers vs. social workers as they have right to confidentiality as a profession, social work does not.

In the area of research, however, the problem has become intensified, as the project deals with files and hopes to trace clients in order to include opinion samples; however, confidentiality must still be maintained - a problem which occurs when attempting a research design.

- (d) Outside interests and the Practice of Law/ Social Wrok - both stress these must not jeopardize the profession or competence of the professional.
- (e) Responsibility to the profession
- (f) Private practice - #7 in Social Work Code of Ethics is similar to those relating to
 - (i) fees
 - (ii) making legal services available.

- (g) Responsibility to employer/lawyer in public office
- (h) In terms of advocacy and administration of justice law parallels the social work value of regard for the welfare of individuals and to foster social change for the human well-being.
- (i) the legal code stresses, impartiality, and conflict of interest, preservation of client's property, withdrawal of services, practice by unauthorized persons, questionable conduct are outlined in greater detail; however, these also can be found in some form in the Social Work Code of Ethics.

Summary

The one comment that can be stressed in showing the comparison of the value base of the two professions is that social work tends to state more explicitly that it works for the welfare of humanity and towards development of social and economic institutions to gain this goal - this tends to be more implicit in law.

The Institute, however, is explicitly committed to law reform, linking it closer to the social policy goals re: reform of institutions which do not promote the good of individuals/society.

These values are closely linked to the student's own personal values especially that of effecting positive change where change was necessary for the good of individuals welfare; and these values were closely matched and practiced by my supervisor at the Institute - Mr. Bhardwaj.

5. Systems Theory as it Operates in the Institute

A. Client System

(the individual, family, group, organization, or community that, in addition to being the expected beneficiary of service, is a system that asks for help and engages the services of the social worker as a change agent..... people become clients only when a working agreement or contract has been established between them and the change agent."

The following comments hope to address and identify the client system operating in the project; plus describe contact, contract, and data collection and goals for all systems.

The Client System can be seen to include:

(1) The Board of the Institute of Law Research and Reform - it is responsible for approving the project and is seen as a microism of the Alberta public - which will be expected beneficiary of the reforms and research of the change agent. (By Alberta public the student refers to both potential beneficiaries and those currently divorced or separated.)

(The Change Agent is then the Institute - specifically the Committee for Matrimonial and Child Support - but also the Province's Attorney General's Department, the Law Foundation, and the University of Alberta because they are the funding bodies.)

The contract then, was this concern/idea being initially brought to the Board of the Institute of Law Research and Reform for approval to conduct research and suggest possible reform. Prior to this contract though a good deal of preparation was done to be able to carefully and properly present

this idea (persuasion), since it is not the client system approaching the change agent but the change agent approaching the client system for a contract.

Pincus and Minahan state there are 2 forms of contracts operating in any analysis of systems

- (1) Primary - those between the change agent and client system i.e. between the Board of the Institute and the Institute (approximately 2 years in length - though this is not rigid).
- (2) Secondary - those between other systems related to the change effort - the action, target and change agent systems.

Some examples of this include:

- (a) Target System -
 - i) National Health and Welfare - Ottawa - to provide a funding grant for conducting a research project. This was accomplished by persuasion, use of relationships, use of environment (Alberta is important to Canada at present, also has statistics to imply need for research and possible reform.
 - ii) Family Court - for the change agent to have access to files, information, observation of court processes.
 - iii) Supreme Court - again to obtain access to records, data.
- (b) Action System
 - i) George Kupfler - to undertake research project.

Various methods of influence in establishing and maintaining contracts and contacts with various factions of systems will be elaborated below. It is important to remember, however, that establishing a contract is a continuous process

and the contract must constantly be re-negotiated, especially in this project as new data, personnel are being introduced into the system. The system must remain open.

B. Target System

The target at this point in time is to obtain funding.

"the people the change agent needs to change or influence in order to accomplish his goals... the target system." ⁹

One of the tasks of the change agent is to establish goals for change - in doing this then you determine the specific people and agencies (society) which need to be influenced / changed in order to reach the goal.

1. At times the client system and target system can be the same. An example of this is
 - (a) Board of the Institute - they must be convinced of the need for the project - if they do not approve the project it cannot be done by the Institute - target system to become the client system.
 - (b) Alberta Public - potential clients of the reform - must be convinced of validity of the eventual suggestions.

2. Societal Target Systems

- (i) The Alberta Government - specifically the Attorney General - Jim Foster - and his department.
 - Also Solicitor General and Alberta Social Services and Community Health - have vested interests in present functioning of Family Law (specifically Family Court).

- Inter-departmental agencies of the government that were targets
- Family Court - Clerk of the Court's Office (Brian Thompson)
- Family Court Counsellors
- Maintenance and Recovery Unit
- Patty Mellon (Omega Report)
- Family Court judges.

(ii) National Health and Welfare - Ottawa - specific people in this target group were Maureen O'Neill and Sharon Sutherland (long-Range Planning Dept. of National Health and Welfare).

(iii) University of Alberta - to allow George Kupfler to become part of the research project.

(iv) University of Calgary - to allow Gayle G. James to commit time to become part of the Maintenance and Child Support Committee.

(v) Institute - to allow B.S.W. student placement.

3. Formal Target Systems

i) Alberta Bar - lawyers in the community; including judiciary to make idea acceptable to them - eg. to co-operate in one specific part of the research i.e. opinions on various case vignettes

ii) Experts in the Field - eg. Albert Rose, Alfred Kahn, Ludge Steinburg - to obtain their opinions, advise on the project.

iii) Social Work Profession - are employed in government departments which divorced/separated spouses interact - i.e. Maintenance and Recovery Unit, Family Court Worker.

4. Informal Target System

- i) the husband/wife/children currently/potentially involved in the goals of the project.
- ii) also an informal target within the Maintenance and Child Support Committee - how to get Kupfler to do the research.

C. Action Systems

"those with whom the social worker deals in his efforts to accomplish the tasks and achieve the goals of the change effort." ¹⁰

Action systems particular to this change effort, have, to the credit of the change agent, been co-opted from the target systems and have contracted to work towards the goals of the change effort.

Some examples of this are:

- (1) National Health and Welfare - i.e. Sharon Sutherland has spent a great deal of time helping design the research project and has been active on a consultant basis - helping write a design her department approves - political coup of sorts for the change agent.
- (2) Family Court
 - Clerk of the Court has allowed access to records.
 - Family Court workers allow input.
- (3) George Kupfler - will do research.
- (4) Experts in the field - previously mentioned, are available to give feedback if necessary for the project.

The change agent has therefore put together a variety of people and agencies who will at any one time interact with each other - during the course of the change effort - with the Institute co-ordinating services.

"....when a potential target system is part of the action system....a separate contract is not formed, at least not at the beginning of the change effort, with that part of the target system" ¹¹

With this in mind no mention will be made to at this time of contracts with target systems - though not all target systems have not been co-opted into the action system (eg. Alberta public in general) and certainly this will have to be dealt with.

One final note - though quotes may refer to individual social workers and individuals as clients it must be remembered this paper/project refers instead to organizations and society (focus on the global meanings of the quotes).

6. Outcome Goals

A. For the client system:

- 1) Board - eventually for the committee to give the Institute a report with a research base and a set of recommendations for reform in the area of enforcement of support orders.
- 2) Public - outcome goals for the public will hopefully produce a better, more effective system for those who are divorced/separated to better enhance their capacities/potential for enjoying a satisfactory way of life (i.e. remove the

stigma of being on social assistance, to allow fathers again to be involved in their families in other than a monetary sense).

B. For the action/target systems:

- 1) For governmental agencies -
 - Legislature - to adopt the recommendations and implement new legal policy.
 - ASS & CH - to adopt new social policy in relation to those separated/divorced.
 - May mean establishing a new system - not unlike AHCIC.
 - Family Court - reforms in use of manpower, paper flow - this would be a sub-goal of the change agent.

- 2) National Health and Welfare - Ottawa - outcome goal is to receive funding.
 - Sub-goal - increase interest in Alberta.

Summary

Incumbant to these goals is an integration of social and legal policy - a recognition that Family Law contains both and both must change in order to achieve desired results. (To this end one sub-goal can be seen to convince target groups of the necessity of examining social and legal policy jointly, i.e. social service representations on committees).

As Pincus and Minahan state, in any change effort, the change agent will identify several goals over a period of time, i.e. different people/agencies will be considered targets for different goals at different times. The project deals with several targets to reach several goals. Because of the complexity of the change effort and the time involved only specific examples have been illustrated. There are certainly many more.

The main goal remains static (to recommend reforms on enforcement legislation), however as new data was collected, sub-goals change.

Priorities were set by both the Board and the Committee, i.e. as to dates of completion, specifics of research, models of progress.

The writer's own outcome goals was to help establish a recognition of the knowledge base of the profession, to allow for future placements and specifically increase the writer's knowledge and experimental base.

7. Data Collection

Pincus and Minahan describe 3 basic modes of data/information gathering. (1) questioning, (2) observation, (3) use of existing written material.

All 3 were used by the change agent.

A) Use of Existing Written Material

This was an initial and important step in the change effort - to gather all relevant data on Family Law - both from social and legal arenas. Essentially this was assembling a bibliography of all relevant legal, social research, historical notes, precedents, operating procedures in other jurisdictions, obtaining organizational charts/materials of government services, procedure manuals, job descriptions, annual reports, etc.

B) Questioning

Both verbal and written forms of questioning were employed.

- 1) Verbal - examples of this include visits to agencies and specific target groups/persons within the agency who have access to relevant data, i.e. police, Director of Corrections, Brian Thompson, experts in the field - Kahn. Physical methods can include formal office interviews to informal lunch, breakfast meetings. Group meetings were also utilized, i.e. assembling Family Court workers throughout the province to illicit their opinions re: the present system's functioning.
- 2) Written Questionnaires - were often mailed to the target systems for specific data - form letters with attached blank forms were mailed to agencies - specifically outside Edmonton and returned to the Institute with data included.
- 3) Research project of 5 Alberta Family Court jurisdictions was also compiled.

C. Observational Techniques

This tool was used in a number of settings. Examples include:

- 1) Family and Supreme Court
- 2) Visits to relevant governmental departments
- 3) Attendance at relevant conferences (Toronto)
- 4) Attendance at various Unified Family Court/ Family Court in other parts of the country (B.C., Toronto)
- 5) Committee meetings.

In noting the above both informal and formal systems must be noted, i.e. a Family Court docket may appear full when in reality only 2 court summons have been issued - the court may be over in 1/2 hour.

Interactions between persons within systems must be noted and the observer must also be conscious of his/her bias - which may tend to color his perspective.

N.B. The 3 techniques are seldom exclusive of each other, i.e. the observer generally also questions and vice versa.

8. Theories of Influence Used Within the Client System

A number of specific theories were employed.

"In analyzing influence....(1) bases or sources of influence used by change agents (2) the processes by which these bases of influence are brought to bear on a situation, and (3) issues related to the use of these processes." ¹²

Again because of the vastness and complexity of the change effort, at any given time everyone of the theories may have been utilized. Some illustrations shall be used to show specifics but it certainly cannot be seen to encompass the entire situation.

A. Bases of Influence

- 1) Knowledge and expertness - of the change agent - particularly of the various committee members i.e. Gayle James, Vivien Lai; and the knowledge of their areas.
- 2) Material Resources and Services - re: availability of funds for the change effort to be continued to this point (i.e. physical space, trips, etc.).

¹² ibid - pg. 248

- 3) Legitimate authority - through the position of the change agent (Institute) has access to people who have authority.
- 4) Status and Reputation - of the Institute and committee members - lends to acceptance by others of the change effort - credibility.
- 5) Established Relationships - i.e. Albert Rose.

3. Influence Processes

- 1) Persuasion - technique employed a great deal to "sell" the change effort - to Board - Ottawa - in future government of Alberta (to target systems.
- 2) Inducement - to the public/government - eg. a new reform may save tax money.
- 3) Use of Environment - in structuring action systems - times of meetings, physical setting of meetings, size, operating procedures (committees cannot be too large).

Again the above can be combined in a number of ways rather than operating exclusively eg. use of established relationships in persuading a target system - show Ottawa social policy experts think the concept is sound.

9. Tasks and Strategies

This refers to the course of action taken by the planned change effort.

Tasks suit the need of the situation. For example,

- a) gather information
- b) designing/using data collection.

Tasks can be defined with more than one purpose in mind and these will depend on the stated goals the change agent wishes to accomplish.

Tasks must also be assigned to either the change agent, client, etc.

One task is an interim report which will be done by V. Bhardwaj; the strategy is to bring the client system up-to-date on the processes/results of the change effort.

10. Activities Influencing the Target System

Three main activities can be identified, and all were operations alone/together at some point in the change effort.

A. Collaboration

Most of the relationships within the target system were formed on this basis. A working agreement is formed with the target system in the belief they will both gain from the change effort (i.e. Ottawa provides funding, they will also receive research information helpful to their study.

B. Bargaining

The first contact with a target system may often be bargaining - to convince Ottawa of the viability of the project - then the activity can move towards collaboration. Each has something to gain or lose in the process, i.e. the Alberta Bar - lawyers may lose clients money if the change process becomes legal/social policy - may result in possible conflict.

C. Conflict

Conflict results when bargaining breaks down and the

parties cannot reach agreement on goals and outcomes.

This can be seen if the goals of the change agent and client are a threat to the target system. For example (1) the Alberta government/public is a conservative target system; the change agent is proposing a radical idea - conflict could result before the system moves to bargaining and collaboration. (2) On the committee there could be a conflict re: research methods, design personnel - the committee must avoid a conflict of interest in this matter.

11. Roles Exacted

(In terms of intervention - to help the client system obtain their goals.)

Some examples are:

A. Enhancer - provide the client system with information - unenforceability of support payments. The writer also provided information re: functioning of Family Court, Clerk of the Court, warrant disposition - this type of information upsets the equilibrium of the system, so as to allow room for possible reform.

B. Educator - of a legal profession to social work profession; of General Systems Theory, of how social systems function in reality when in daily operation - feedback mechanism -

Change Agent -- Target Systems
-- Action Systems.

C. Consultant - social work profession to legal profession re: social work processes/functions which affect social policy in Family Law.

D. Facilitator - between systems; build relationships
Change Agent -- Legal Profession

Through meetings with individual lawyers, legal aid in community, they are more aware of the change effort and the change agent; may more likely enable relationships to move from possible conflict -- bargaining.

E. Social Brokerage - incorporated from past experiences/relationships a broad knowledge of operating procedures of agencies to make effective connections eg. knowledge that legal aid is not readily available to all divorced/separated spouses - connect change agent with another target system.

12. Biases of the Change Agent

A. Lock-in Effects - (make judgments before complete data is in.)

The need for research has to a large extent overcome this, though there is pressure from the client system to complete the change effort. One example may be to push for use of a "preventative" model towards marriage, without realizing social value implications of this.

B. Anchoring (degree, intensity of problem) - enough research has been gathered re: statistics to show client system the need for specific reforms.

The change effort was maintained by committee meetings, collaboration of committee members; incorporation of the target system into the action system, change agent remaining open to new data (sub-goals were modified) and by reports (verbal, written) to the Board (client system).

13. Termination Procedures

In terms of the change effort the project is only beginning (i.e. getting funding to do research, doing the research, etc).

The writer time limits were specific - September 12 to December 9, 1977 and a specific outcome goal was assigned - a major position paper integrating legal and social policy in the systems theory operating in Family Court.

In terms of the change agent; the writer is no longer, as an individual involved after the closing date, but the profession will continue to be part of the action system (stabilization of a specific change effort).

14. Conclusion

As stated throughout the paper the four systems involved initially complicated and involved and have become increasingly more so as the change effort develops. And one of the major reasons for this is the subject matter. The family as a concept is a cornerstone in society - be it in legal or social terms and to attempt any changes in this will of necessity involve a wide variety of people/agencies/organizations, not to mention society in general.

The writer has hoped to give some examples of the systems and their interactions. This is by no means a complete overview and much more information could be included, but to do so, however, would have enlarged the paper beyond time and functional constraints. Perhaps, by way of ending it should be noted that the writer should always bear in mind his/her verbosity in relation to the reader's patience. Often the most effective points are made in the shortest spaces; unfortunately this was not one of the shortest spaces - one can only hope it then makes an effective point!