

REDUCING THE “JUSTICE GAP” THROUGH COLLABORATION MODELS FOR SYSTEMIC CHANGE: USING NETWORKS TO IMPROVE ACCESS TO JUSTICE

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The fall of 2023 marks the tenth anniversary of the release of two touchstone reports: the Canadian Bar Association’s Reaching Equal Justice Report and the Action Committee on Access to Justice in Civil and Family Matters’ Roadmap for Change. These reports outlined a heightened concern about access to justice across Canada and introduced goal-based roadmaps with target deadlines for change. In order to coordinate change, the authors of the reports suggested the development of multi-stakeholder implementation committees across all Canadian provinces and territories. However, “how” such action-oriented committees might be created and maintained was yet to be discovered for many jurisdictions. This paper seeks to contribute to the discourse on designing and evolving committees for systemic change by highlighting the characteristics, values, and challenges associated with one model for collaboration: networks. Using the Saskatchewan Access to Justice Network [SK A2J] as an example, we demonstrate how to design and maintain a network to reduce the “justice gap.” We also offer our combined reflections on how some SK A2J Network member organizations have used the power of networks to increase access to justice. With almost a decade since the release of the touchstone reports, we pause to consider and share our evolving Saskatchewan experience with the hope that other jurisdictions will do the same.

L’automne 2023 marque le 10^e anniversaire de la publication de deux rapports faisant référence : le rapport Atteindre l’égalité devant la justice de l’Association du Barreau canadien, et le rapport Une feuille de route pour le changement du Comité d’action sur l’accès à la justice en matière civile et familiale. On y fait état d’une crainte grandissante concernant l’accès à la justice dans l’ensemble du pays et y présente des feuilles de route

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fondées sur des objectifs assortis de délais d'exécution. Pour coordonner le changement, les auteures de ces rapports avaient proposé la création de comités de mise en œuvre multipartites dans chaque province ou territoire. Toutefois, les moyens par lesquels créer et maintenir en place ces comités restaient un mystère à bien des endroits. Ces auteures se veulent une contribution au débat sur la création et l'évolution de ces comités en vue d'un changement systémique par la mise en relief des caractéristiques, valeurs et défis d'un modèle de collaboration : les réseaux. Prenant comme exemple le réseau de l'accès à la justice de la Saskatchewan, les auteures démontrent comment concevoir et conserver un réseau pour réduire les « injustices ». Elles proposent également leurs réflexions sur la façon dont certaines organisations membres du réseau de la Saskatchewan se sont servi des réseaux pour améliorer l'accès à la justice. Après près d'une décennie depuis la publication des deux rapports, elles prennent le temps d'analyser et de partager l'expérience évolutive de la Saskatchewan dans l'espoir que d'autres provinces et territoires suivent cet exemple.

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Introduction

*Like every other human institutional endeavour, justice is an ongoing process. It is never done, never fully achieved. Each decade, each year, each month, indeed each day, brings new challenges.*¹

—Honourable Beverley McLachlin,
Former Supreme Court of Canada Chief Justice

The fall of 2013 marked an important moment in history for the Canadian justice sector and the access to justice (A2J) movement. Both the Action Committee on Access to Justice in Civil and Family Matters (Action Committee) and the Canadian Bar Association (CBA) released touchstone reports on the state of civil justice in this country. The main takeaway was that transformational change was needed to reduce the “justice gap,” meaning:

There are serious gaps in the justice system, as only a small proportion of the public can financially afford full representation, and only a small proportion of the public qualifies for assistance through provincial legal aid systems; this creates a “justice gap” with many low and middle-income earners unable to access legal services.²

¹ Beverley McLachlin, “[The Challenges We Face](#)”, Remark, online: *Supreme Court of Canada* <www.scc-csc.ca/judges-juges/spe-dis/bm-2007-03-08-eng.aspx> [perma.cc/AMJ3-T5HG].

² Beth Bilson, Brea Lowenberger & Graham Sharp, “Reducing the “Justice Gap” Through Access to Legal Information: Establishing Access to Justice Entry Points at Public

Both reports shone a light on the enormity and complexity of the access to justice crisis, highlighting the need for collaboration amongst all stakeholders if there was any chance of affecting change.

As a result of the research and consultations, both the Action Committee report, *A Roadmap for Change* (the Action Committee report), and the CBA report, *Reaching Equal Justice* (the CBA report), included calls to action. Although the calls to action fell under different categories, they shared many common themes, such as collaboration to avoid overlap and minimize gaps, sharing information and ideas, and building and supporting specific collaborations between stakeholders in and outside the justice sector.

Particularly relevant to this paper are the calls to action within each report that specifically address the need for organizations and individuals to connect via collaboration models. Our ongoing research and testing of collaboration models for systemic change in Saskatchewan has informed our use of a network model to improve access to justice. A network is a broad term, but in the context of this paper, the term “network” refers to “networks of individuals or organizations that aim to solve a difficult problem in the society by working together, adapting over time, and generating a sustained flow of activities and impacts.”³ Looking at the Action Committee report, one of the early calls to action was to “modernize and expand the legal services sector,” which speaks to a need to innovate and make justice services more affordable for Canadians, specifically through creative partnerships and initiatives to expand the justice sector.⁴ In relation to institutional and structural goals, the report called for the permanent establishment of a national access to justice organization.⁵ The national organization would act as a coordinator for the local A2J groups and as a central node for access to justice in the civil and family context, ensuring that the movement continues to make

Libraries” (2017) 34:2 Windsor YB Access Just 99 at 100; Referring to Action Committee on Access to Justice in Civil and Family Matters, “[Access to Civil and Family Justice: A Roadmap for Change](#)” (October 2013) at 3, online (pdf): *Canadian Forum on Civil Justice* <www.cfcj-fcjc.org/sites/default/files/docs/2013/AC_Report_English_Final.pdf> [perma.cc/8BXT-XD8R] [The Action Committee Report].

³ Peter Plastrik, Madeleine Taylor & John Cleveland, *Connecting to Change the World: Harnessing the Power of Networks for Social Impact* (Washington, DC: Island Press, 2014) at 5 [Plastrik et al.]. While the authors recognize there is expansive literature on different models for collaboration, this paper only features one main model—“networks”—which was chosen to reference and apply to the work carried out in Saskatchewan. A theoretical exploration of the continuum of collaboration is beyond the scope of this paper.

⁴ The Action Committee Report, *supra* note 2 at 14.

⁵ *Ibid* at 21.

change.⁶ Finally, the Action Committee report called for creating and supporting local access to justice implementation commissions (AJICs), which would be the local organizations working to advance access to civil and family justice goals.⁷ AJICs are critical because the delivery of justice services is shared among many stakeholders. To affect successful change, the provinces and territories must have structures (including adequate

⁶ *Ibid.*

⁷ *Ibid* at 20. The release of the Action Committee report led to the creation of AJICs in every province. See a list of the Provincial/ Territorial Collaboratives as of 2020 here: Action Committee on Access to Justice in Civil and Family Matters, “[Canada’s Justice Development Goals: 2020](#)” (2020), online (pdf): *Justice Development Goals* <<https://tinyurl.com/mpcp4x9z>> [perma.cc/4LF6-BXKU]. Helpful resources have been created in Canada to support the development of collaboration models for justice system change. Notably, prior to the release of the touchstone reports in 2013, in 2009, the Canadian Forum on Civil Justice released Mary Stratton, “[Creating Collaborative Alliances for Change: A Dynamic Resource for the Justice Community](#)” (October 2009), online (pdf): *Canadian Forum on Civil Justice* <www.cfcj-fcjc.org/sites/default/files/docs/2009/stratton-car-en.pdf> [perma.cc/5KLS-PVB5]. While not justice system-specific, other helpful Canadian resources can be found on the Tamarack Institute website, “[Resources](#)”, online: *Tamarack Institute* <www.tamarackcommunity.ca/#news> [perma.cc/UAK8-2WUG]; and in Frances Westly, Brenda Zimmerman & Michael Patton, *Getting to Maybe: How the World is Changed*, (Toronto: Vintage Canada, 2007). While there has been some reporting on the progress, challenges, success, and goals of AJICs in Canada, academic analysis on the topic is lacking, as is reporting on “best practices” of collaboration models since the 2015 report of the Action Committee on Access to Justice in Civil and Family Matters, “[Action Committee Meeting of Provincial and Territorial Access to Justice Groups](#)” (March 2015) at 3–6, online (pdf): *Canadian Forum on Civil Justice* <www.cfcj-fcjc.org/sites/default/files//docs/ac_meeting_web_ktl03.pdf> [perma.cc/HAA9-AD78]. Other countries have also established collaboration models to support access to justice innovation. For example, such developments in the United States were highlighted at the 2014 Action Committee meeting. See Action Committee on Access to Justice in Civil and Family Matters, “[Colloquium Report](#)” (June 2014) at 13–14, online (pdf): *Canadian Forum on Civil Justice* <www.cfcj-fcjc.org/sites/default/files//docs/2014/ac_colloquium_web_FINAL.pdf> [perma.cc/8Q5B-ZMB8]. In the United States, the American Bar Association has published a website on “Access to Justice Commissions,” highlighting hallmarks of effective commissions, ideas to design a new commission, and articles from US scholars on the unfolding of such commissions. “[Access to Justice Commissions](#)” online (pdf): *American Bar Association* <<https://tinyurl.com/ycx8szxr>>. Also, Australia’s Law Council has an Access to Justice Committee. See “[Access to Justice Committee](#)” online (pdf): *Law Council of Australia* <www.lawcouncil.asn.au/about-us/advisory-committees/access-to-justice-committee#:~:text=The%20Access%20to%20Justice%20Committee,the%20Committee%20has%20expanded%20considerabl> [perma.cc/C7CU-JK6P]. Notably, in 2014, the Australian Government’s Productivity Commission concluded an inquiry into access to justice arrangements in Australia. You can read the Australian Government’s response to the Commission’s report published in 2016 here: “[Productivity Commission Recommendations Implemented by the Australian Government](#)” (4 April 2016), online (pdf): *Australian Government*:

staffing and funding) in place to support local groups working in A2J) and connect them together.⁸

The CBA report echoed the Action Committee report, calling for provinces and territories to come together by creating collaboration models.⁹ Also, in alignment with the Action Committee's report, the CBA encouraged the sharing of information and ideas, specifically through access to justice leaders who can facilitate the process of collaboration and communication.¹⁰ Finally, the CBA recommended that the incubator model, often seen in the technology sector, be used to help promote innovations in the justice sector to bring justice to more people.¹¹

The common denominator for these specific calls to action, and many of the others, is two-fold. First, all calls to action highlighted the importance of collaboration in order to create change in the justice system. Second, all calls to action encouraged the implementation of collaboration models. There was recognition in both reports that in order to achieve the access to justice goals set out within, a myriad of ideas, solutions, and people are necessary. Creative initiatives have been implemented, sometimes in isolation, doing well in different corners of the country. The next step is to continue to bring those people together and support their ability to connect and collaborate on an ongoing basis. As referenced at the beginning of this paper through a statement from the Honourable Beverley McLachlin, Former Supreme Court of Canada Chief Justice, bringing people together to consider continuous improvements is an infinite endeavour because the justice system will always face new challenges and opportunities for evolution. The need for ongoing, creative approaches for justice system reform was highlighted in a 2018 update from the Action Committee:

The legal system has a history of slow evolution rooted in precedent and case law. Its culture is at odds with the culture of innovation and experimentation ...

Attorney-General's Department <www.ag.gov.au/sites/default/files/2020-03/Government-response-to-Productivity-Commissions-report.pdf> [perma.cc/PP32-PRC7].

⁸ The Action Committee Report, *supra* note 2 at 20. See Mary Lavery Flynn, "[Access to Justice Commissions: Increasing Effectiveness Through Adequate Staffing and Funding](#)" (August 2018), online (pdf): *American Bar Association* <www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_atj_commission_report.authcheckdam.pdf> [perma.cc/P2E6-SDYM].

⁹ CBA Access to Justice Committee, "[Reaching Equal Justice: An Invitation to Envision and Act](#)" (November 2013) at 139, online (pdf): *Canadian Bar Association* <www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf> [perma.cc/E5ZM-UXZD].

¹⁰ *Ibid.*

¹¹ *Ibid* at 103.

However, the access to justice challenge faced by many Canadians demands new thinking, flexibility, experimentation and user-centered approaches.¹²

In order to work towards the change that both reports layout, it is important to understand that this is the context in which the A2J crisis lives and in which change must be made. Networks are not only spaces for connection and idea sharing; networks stage opportunity for mindset and culture shift within the justice sector. Simultaneously building bridges and changing perspectives creates an added dimension of difficulty making the job of network “weavers” and coordinators more important and challenging.

Networks provide a framework for stakeholders to collaborate to achieve large-scale systemic change. This paper will first describe in Part 1 what defines a network, specifically its characteristics, value, and the challenges it presents. Next, in Part 2, the paper outlines, as an example, the creation, implementation, and evolution of the provincial network that now exists in Saskatchewan (the SK A2J Network), which had its origins in the Dean’s Forum on Access to Justice and Dispute Resolution (the Dean’s Forum). Finally, Part 3 reflects the perspective of several SK A2J Network members on the benefits and challenges faced by the Network. Through highlighting examples of Network impacts and lessons learned, we hope readers can take what we have learned into their own networks.¹³

The timing of this paper marks national and local milestones in the access to justice arena, which invites reflection on where we are at in Canada, where we want to be—and how networks can help policymakers continue to bridge our knowledge of unmet needs with action and impact. Nationally, as stated above, fall 2023 marks ten years since the CBA and Action Committee’s release of the touchstone reports. Locally, 2022 marked the 10th meeting of the Dean’s Forum and the 5th anniversary of CREATE Justice, the province’s access to justice research and action-oriented lab. With almost a decade passed, we pause to consider and share our Saskatchewan experience, hoping other jurisdictions will do the same. The invitation is to collectively reflect on where we are at in closing the access to justice implementation gap that was outlined in the touchstone reports and how collaboration models, like networks, can bridge this knowledge with action—the “how we are going to get there” that is not detailed in the reports. The benefit of collective reflection that builds capacity for generative dialogue and action cannot be understated:

¹² Action Committee on Access to Justice in Civil and Family Matters, “[Working Toward Accessible Justice: Tracking Progress on Canada’s Justice Development Goals in 2018](https://www.actioncommittee.ca/wp-content/uploads/2019/06/Working-Toward-Accessible-Justice-Tracking-Progress-on-Canada’s-Justice-Development-Goals-in-2018.pdf)” (2019) at 26, online (pdf): *Canadian Forum on Civil Justice* <<https://tinyurl.com/muhhzar4>> [perma.cc/CGK4-Y7NQ].

¹³ Note that the views in this paper represent those of the authors’.

The capacity to reflect collectively with peers, colleagues, and others increases the rigour of reflection, interrogates assumptions, and supports learning from others. It also builds the capacity for generative dialogue to create new knowledge and envision new possibilities: this capacity is crucial for tackling access to justice challenges. A final component is “praxis”—making sure one acts on the insights gleaned from reflection.¹⁴

This paper highlights our Saskatchewan experience and invites ongoing dialogue about collaboration models for systemic change.

Part 1: Characteristics, values, and challenges of networks

The world has become more interdependent due to a number of technological advancements, especially in light of the COVID-19 pandemic. The geographical boundaries that separate people have become less of a barrier allowing for the transfer of ideas, information, and physical objects.¹⁵ This interdependence has led to a more decentralized world with high levels of transparency; humans are affecting each other with their actions in ways we never have before.¹⁶ In both the Action Committee and CBA reports, there was a recognition of how connected the world was becoming and the power of that shift. This can be seen in the specific calls to action that focus on forming connections between individuals and organizations. Changing the legal and justice systems to be more accessible, which is the ultimate goal of both reports, requires ongoing, large-scale change. In order to tackle this goal, networks are a promising tool to foster making justice more accessible. Understanding the characteristics, values, and challenges of networks described below is necessary to successfully implement a network of this type.

A) Characteristics of Networks

There are many ways to define a network. One of the main features is that a network is “a group of people connected through relationships.”¹⁷ When speaking of networks involved in social change, also known as “generative social-impact networks,” a network can be defined more specifically as “individuals or organizations that aim to solve a difficult

¹⁴ Michele Leering, “Enhancing the Legal Profession’s Capacity for Innovation: The Promise of Reflective Practice and Action Research for Increasing Access to Justice” (2017) 34:1 Windsor YB Access Just 189 at 198.

¹⁵ Diana Scarce, “[Connected Citizens: The Power, Peril and Potential of Networks](#)” (6 April 2011) at 1, online (pdf): *Knight Foundation* <knightfoundation.org/wp-content/uploads/2011/10/Connected_Citizens_-_final_draft_online_edition.pdf> [perma.cc/JXL9-JP3Z] [Scarce].

¹⁶ *Ibid.*

¹⁷ *Ibid* at 3.

problem in the society by working together, adapting over time, and generating a sustained flow of activities and impacts.”¹⁸ These groups of individuals and organizations are the “nodes” of the network, whereas the relationships between people are the “links.”¹⁹ Ideas, events, objects, or other things can also act as nodes of the network.²⁰ Plastrik and Taylor, in their handbook for building social change networks, describe a network’s structure as having no central command box or top or bottom. A network does not have a centralized authority but instead dispenses the authority among network members.²¹

In defining what a network is, it is also helpful to define what a network is *not*. Networks are *not* systems which are defined as “[a] group of interdependent but interrelated elements that form a unified whole.”²² Although this may sound very similar to a network, the important distinction is that the network is the people and organizations and the relationships they share.²³ A system, by contrast, is the environment in which the network works to enact social change.²⁴ A network is also not an organization, as organizations use top-down authority to accomplish goals.²⁵ Nor is a network, an association or a working group that come together and pool resources in an attempt to tackle one specific problem (such as a government policy change) and then disband.²⁶ Although networks share resources and work to tackle specific social change issues, networks do not disband but instead shift focus as the needs of the network change. For example, Bill Traynor, an experienced community organizer working on the issue of poverty in Lawrence, Massachusetts, knew that in order to succeed, what was required was “an environment that was going to invest in people-to-people connections, not people-to-agency connections.”²⁷ Traynor recognized that a network is about

¹⁸ Plastrik et al., *supra* note 3.

¹⁹ Grantmakers for Effective Organizations, “[How do Networks Support Scale?](#)” (2011) at 2, online (pdf): *Issue Lab* <www.issuelab.org/resources/12448/12448.pdf> [perma.cc/H6FQ-4J25].

²⁰ *Ibid.*

²¹ Peter Plastrik & Madeleine Taylor, “[NET GAINS: A Handbook for Network Builders Seeking Social Change](#)” (2006) at 15, online (pdf): *Network Impact* <www.networkimpact.org/resources/net-gains-a-handbook-for-network-builders-seeking-social-change> [perma.cc/QD2E-D6AK] [Plastrik & Taylor].

²² Heather McLeod Grant, “[Transformer: How to Build a Network to Change a System—A Case Study of the RE-AMP Energy Network](#)” (2010) at 4, online (pdf): *Garfield Foundation* <www.garfieldfoundation.org/wp-content/uploads/2016/06/Transformer_Monitor-Institute-RE-AMP-Case-Study.pdf> [perma.cc/32KL-6SQ2] [Grant].

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ Plastrik & Taylor, *supra* note 21 at 14.

²⁶ Plastrik et al., *supra* note 3 at 6.

²⁷ Plastrik & Taylor, *supra* note 21 at 15.

the connections between the people within the network and that those connections are what truly define a network.

B) Value of Networks

Networks have significant value for stakeholders looking to invest in systemic change. Each individual network will find specific value in having this structure in place, but there are, as described below, five main advantages of networks in general:

1. creation of coordinated action and connectivity;
2. members retain autonomy while still working towards the common goal;
3. rapid growth and diffusion;
4. adaptivity and resilience; and
5. greater impact potential and can take on large social problems compared to individualized efforts

Benefit 1: Creation of coordinated action and connectivity

The first benefit of networks is that they create coordinated action and connectivity. For example, in Lawrence, Massachusetts, the Pine Street Inn was addressing homelessness; they were one of many community organizations trying to improve conditions within Lawrence but could not connect with these other groups.²⁸ A network was needed. Networks connect individuals and organizations who want to work toward social change, allowing them to coordinate their efforts.²⁹ Connecting people who are working toward similar goals in a network setting has the benefit of avoiding duplication and creating gaps in efforts, leading to reduced cost and increased efficiency.³⁰ This benefit of networks has been recommended as a way to secure funding.³¹ In the case of RE-AMP, a network in the United States mid-west to reduce global warming in

²⁸ *Ibid* at 11.

²⁹ Innovations for Scaling Impact and Keystone Accountability, “[Next Generation Network Evaluation](#)” (June 2010) at 25, online (pdf): *International Development Research Centre* <<https://tinyurl.com/389mcaaw>> [<https://perma.cc/NFN3-ZW48>] [IDRC Evaluation].

³⁰ *Ibid*.

³¹ Plastrik & Taylor, *supra* note 21 at 25. One of the Innovations for Scaling Impact and Keystone Accountability recommendations when establishing and using networks is to use this factor to sell funders on the value of networks so that those funds can be invested in the network itself.

their region, one of the consultants on the project remarked that “[t]he interconnectedness of the issues, and the danger of potentially working against other advocates, was the biggest ‘aha’ of it all.”³²

The value of connecting people and coordinating action that comes with establishing a network is that the network can then become self-sufficient, renewing its human resources. Plastrik, Taylor, and Cleveland, in their book *Connecting to Change the World*, found that “a set of people ... whose connections with each other enable them to generate more and more collaborative effort over time.”³³ And as the connections build upon each other, more people are brought in, and the specializations of those actors are brought together, ultimately leading to increased overall impact.³⁴

Benefit 2: Members retain autonomy while still working towards the common goal

The second advantage of networks is that members retain autonomy while working towards a shared goal. Members must recognize that individuals and organizations will bring identity and motives to the network. Although this is positive, as it creates a plethora of ideas and perspectives, it can also cause tension if members feel they will be required to assimilate into the group’s identity and authority. The decentralized nature of network authority allows members to maintain autonomy. Other members need to respect that autonomy.³⁵ The lack of centralized authority naturally brings chaos, but that chaos is the source of network vitality, and when the system of order breaks down, the members will use their autonomy to create a new system of order.³⁶ Autonomy also creates relationships built out of members choosing to work with each other for the reasons that suit them.³⁷

Benefit 3: Rapid growth and diffusion

Following autonomy is the network benefit of rapid growth and diffusion. Networks have the ability to expand rapidly and widely in ways that can have startling effects.³⁸ Rapid expansion occurs because the value of the network increases as the number of members increases, which leads to more members joining. These new members further increase the

³² Grant, *supra* note 22 at 7.

³³ Plastrik et al., *supra* note 3 at 6.

³⁴ IDRC Evaluation, *supra* note 29.

³⁵ Plastrik et al., *supra* note 3 at 121.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ Plastrik & Taylor, *supra* note 21 at 18.

network value, resulting in a compounding effect.³⁹ As explored in *Net Gains: A Handbook for Network Builders Seeking Social Change*, Plastrik and Taylor explain that the startling effects come from the benefit that members gain when they add new links. After recognizing this benefit, members actively seek out new links, adding nodes to the network.⁴⁰ This, in turn, allows for greater diffusion of ideas, information, and resources.⁴¹ This way, networks act like incubators, building a community of experts, influencers, and advisors.⁴²

Benefit 4: Networks are highly adaptive and resilient

Networks are highly adaptive and resilient. Networks are fluid and can adapt quickly. This is key when working on social change, which can be subject to extreme transformations. The ability to withstand the stresses of links being severed or added means that networks experience low amounts of disruption, as they can work through disruptions without becoming dysfunctional.⁴³ An excellent example of this is Toyota; when the destruction of a key plant in the production of Toyota parts was destroyed, production came to a halt. The Toyota Production System, a group of 200 companies that produce different aspects of Toyota, all worked together, allowing production to resume within three days.⁴⁴ Like the Toyota example, links can stay dormant or have very low levels of activity. When necessary, network links can rapidly become more active without affecting the ability of the network.⁴⁵ Networks act like social insurance companies; much the same way an insurance company spreads out its risk through investment in different capital-building opportunities, a network spreads out its social risk among multiple links and nodes, making it an adaptive and resilient tool.

Benefit 5: Networks have greater impact potential and can take on large social problems

Finally, networks have greater impact potential due to their ability to tackle large-scale problems and achieve ambitious goals. Networks have a “unique and renewable capacity”⁴⁶ that is adept at impacting complex social issues such as poverty, healthcare, and the justice system. Part of

³⁹ *Ibid.*

⁴⁰ IDRC Evaluation, *supra* note 29 at 24–25.

⁴¹ *Ibid.*

⁴² “[The DMZ: A World-Leading Tech Incubator](https://tinyurl.com/y57e4rsw)”, online: DMZ <<https://tinyurl.com/y57e4rsw>> [perma.cc/N99L-NEBY].

⁴³ IDRC Evaluation, *supra* note 29.

⁴⁴ Plastrik & Taylor, *supra* note 21 at 21.

⁴⁵ IDRC Evaluation, *supra* note 29.

⁴⁶ Plastrik et al., *supra* note 3 at 6.

the reasoning behind a network’s ability to take on ambitious goals is due to the connection between members, allowing for different nodes to simultaneously take on many different activities over the course of many years.⁴⁷ In this way, networks contain the capacity to think long-term, a necessity when looking to make systemic change.

Contrast the above network actions to individual impact. Individual impact requires finding and funding a specific solution and implementing the solution. Additionally, individuals have to hope that others will replicate their solutions to increase impact.⁴⁸ However, there is little evidence that this approach is effective for tackling systemic problems because no single organization can fix these problems.⁴⁹ The isolated impact and its general ineffectiveness for systemic change highlight what the Action Committee and the CBA alluded to in their reports: collaboration models, such as networks, are necessary for effecting change within the civil justice system.

C) Challenges of Networks

Although networks have many advantages and are uniquely effective tools for tackling complex social problems, they are not without challenges. For example, when RE-AMP began their network to battle emissions in the mid-west United States, they found that participants were initially skeptical about the approach. Culture, as shaped by geographical region or industry, poses unique challenges to network productivity. Looking at the legal profession, an often risk-averse and pragmatic profession, there is potential that network members will struggle with shifting from the typical organizational structure to a more decentralized structure.

Another challenge RE-AMP found was getting members to shift their mindset to be network-centric. Participants naturally came into the network with their ideas, strategies, and organizational way of thinking. However, when it comes to building and working as a network, the mindset needs to be focused on “tools and strategies for strengthening, creating, or leveraging network connections.”⁵⁰

The RE-AMP network’s final challenge was determining the right amount of infrastructure and technology needed.⁵¹ A network needs a certain structure to function, but the challenge comes in balancing the

⁴⁷ *Ibid.*

⁴⁸ John Kania & Mark Kramer, “Essentials of Social Innovation: Collective Impact” (2011) 9:1 *Stan Soc Innovation Rev* 36 at 38.

⁴⁹ Plastrik et al., *supra* note 3 at 5.

⁵⁰ Scarce, *supra* note 15 at 3.

⁵¹ Grant, *supra* note 22 at 12.

structure needed without moving toward an organizational structure. However, despite these challenges, if the proper steps are taken during the design stage, as well as in maintaining a network, those challenges can be overcome. Reflections on designing and maintaining a network in the justice realm will be explored more in Part 2 of this paper below.

Part 2: How to design and maintain networks to achieve Canada's access to justice goals

As discussed in Part 1 and will be demonstrated in Part 3, networks are powerful tools for social and systemic change. The advancement of access to justice in Canada requires such a collaboration model to achieve the goals stated in the Action Committee and CBA reports. It must be remembered that a network is not a silver bullet that will solve the access to justice crisis and will not be appropriate in every situation; however, where a network is a proper tool, deliberate planning and action while allowing for natural evolution is needed. Using Saskatchewan's Access to Justice Network (SK A2J Network) as an example, this Part first discusses the steps in designing a network, then the considerations in sustaining a network, and finally, the challenges of evaluating and measuring a network.

A) Steps in Designing a Network

Networks as a concept are not new, and humans have been using networks to accomplish goals for many years. However, only recently have networks been studied and written about as a tool for social and systemic change. Since realizing the power of networks, scholars, organizations, and people involved have started reflecting on how networks get off the ground. What is needed to start a network? There are many considerations when designing a network, but Plastrik et al. summarized it well, stating that “[t]he point of the many decisions you make about a network’s initial design is to attract and mobilize resources and create momentum, fanning the spark that instigated the network in the first place and putting into motion the connect-align-produce sequence.”⁵² A network needs to be designed to facilitate continued interest, collaboration, and action.

However, there is more to designing a network than Plastrik et al.’s helpful summary. For people looking to build a network from the ground up or add more structure to their existing network, concrete steps are required. Plastrik et al. have studied networks and compiled seven considerations for creating a social change network. Members of the SK A2J Network, previously known as the Saskatchewan Access to Justice Working Group (2016–2018), followed this model.

⁵² Plastrik et al., *supra* note 3 at 43.

The idea to explore a new model for Saskatchewan’s access to justice collaborators arose following several iterations of access to justice collaboration models in Saskatchewan. Saskatchewan’s recent movement in access to justice developments that started in 2013, just before the release of the touchstone reports, involved launching the Dean’s Forum on Access to Justice and Dispute Resolution (the Dean’s Forum). The Dean’s Forum is a gathering of several dozen leaders in the Saskatchewan legal and justice community, which has since 2014 engaged upper-year USask law students in contributing to justice policy alongside these stakeholders. Student involvement is at the heart of the movement.⁵³ In 2015, justice stakeholders recognized the need for an ongoing “working group” and coordinator position. The Access to Justice Coordinator position was created in 2015, with support from the Law Foundation of Saskatchewan, and in 2016, the Saskatchewan Access to Justice Working Group was formed. The “Working Group” formed but wrestled with its title and what could or should happen in terms of action “at” versus beyond the Working Group table.

A unique structure was needed. Every organization has a different vantage point and mandate in relation to addressing access to justice. When presented with network principles in 2018, members found that the connect-align-produce format of the network structure, explained below under “Factor 1,” resonated. Specifically, members decided that the Network could be used for connectivity, and action could occur outside the Network. Saskatchewan’s application of Plastrik’s seven principles are detailed below, which bring the principles to life in the justice context.

Factor 1: Purpose

The first factor in designing a network is to consider its purpose. This involves asking questions regarding the reason for being and what the network will be working on.⁵⁴ This may seem simple. However, it can be challenging to define a network’s purpose with the amount of clarity needed; it can be difficult to know what activities the network will actually do at the very beginning.⁵⁵ The purpose of the member organizations can also impact what kind of network to create at inception: connectivity, alignment, or production. *Connectivity* networks focus on linking people so that information can be shared. *Alignment* networks link people to create and share goals and ideas. *Production* networks work towards

⁵³ Brea Lowenberger, Michaela Keet & Janelle Anderson, “Collaborative Policy-Making, Law Students, and Access to Justice: The Rewards of Destabilizing Institutional Patterns” (2017) 34:1 Windsor YB Access to Just 148 at 149.

⁵⁴ Plastrik et al., *supra* note 3 at 43.

⁵⁵ *Ibid* at 44.

collective action.⁵⁶ Ultimately, the purpose statement is critical as knowing the network's purpose, and what it will do and work towards will act as a focal point for all members, currently and in the future. In Saskatchewan, a connectivity network was established with a vision that "all Saskatchewan residents have timely and meaningful access to appropriate legal services and dispute resolution mechanisms that produce just results."⁵⁷ In its Mission, the SK A2J Network sought to:

1. Foster a "public first" approach to all justice processes and services;
2. Generate energy and enthusiasm for the access to justice initiative;
3. Foster information exchange, communication, engagement, and momentum-building within and among member organizations and a diverse group of stakeholders and interest groups;
4. Encourage appropriate collaboration and coordination between and among members with respect to access to justice initiatives; and
5. Improve understanding of the problem of inadequate access to appropriate legal services and mechanisms to resolve disputes.⁵⁸

Factor 2: Membership

The second-factor concerns membership and the logistics surrounding members. Questions of size, categories, eligibility, and requirements are key in designing a network. Determining membership will impact how diverse the network is⁵⁹ and what the right size is to achieve the goals of the network.⁶⁰ In the end, who is involved in the network and how they can join will shape the network itself and impact its ability to achieve what

⁵⁶ *Ibid* at 34–35.

⁵⁷ Saskatchewan Access to Justice Network, "Saskatchewan Access to Justice Network Mandate (amended April 2020 & April 2021)" [unpublished, on file with authors] at 1 [SK A2J]. The Saskatchewan Access to Justice Mandate was amended in 2020 and 2021 to account for the disruption caused by COVID-19, and again in 2022. Since composing this paper, the SK A2J Network undertook its next stage of strategic planning in mid-2022 and another iteration of revisions has been undertaken to keep the Mandate current. For a copy of the most recent Mandate, please contact its co-coordinator Brea Lowenberger at b.lowenberger@usask.ca.

⁵⁸ *Ibid*.

⁵⁹ Plastrik et al., *supra* note 3 at 47.

⁶⁰ *Ibid* at 49.

it has set out to do. The SK A2J Network adopted the following approach to membership:

The network is comprised of member stakeholders involved in civil, family, and administrative justice matters in Saskatchewan. Membership consists of representatives of stakeholder organizations. Member organizations determine representatives that will most effectively facilitate participation of the organization in the network. It is open to the membership to propose or nominate additional members to be added to the membership. The addition of new members is decided by consensus at one of the bi-annual face-to-face meetings or through another method as determined by the membership.⁶¹

Current SK A2J members include:

- **Co-Chair:** Deputy Minister of Justice and Deputy Attorney General
- **Co-Chair:** Dean, College of Law, University of Saskatchewan
- **Coordinators:** Access to Justice Coordinator, College of Law, University of Saskatchewan and Crown Counsel, Ministry of Justice, Justice Services and Tribunals Division
- College of Law, University of Saskatchewan
- Community Assistance for Saskatoon’s Inner-City (CLASSIC)
- Indigenous Law Centre, College of Law, University of Saskatchewan
- CREATE Justice, College of Law, University of Saskatchewan
- Dispute Resolution Sector (appointee of ADR Institute of Saskatchewan Inc. and Conflict Resolution Saskatchewan)
- Justice Services Division, Ministry of Justice and Attorney General
- Administrative Justice and Strategic Relationships Division, Ministry of Justice and Attorney General
- Law Foundation of Saskatchewan
- Law Reform Commission of Saskatchewan

⁶¹ SK A2J, *supra* note 57 at 2.

- Law Society of Saskatchewan
- Legal Aid Saskatchewan
- Pro Bono Law Saskatchewan (PBLs)
- Public Legal Education Association of Saskatchewan (PLEA)
- Saskatchewan Administrative Tribunals Association (SATA)
- Saskatchewan Branch of the Canadian Bar Association
- Saskatchewan Court of Appeal
- Saskatchewan Court of Queen’s Bench
- Saskatchewan Provincial Court⁶²

Factor 3: Value for Members

Third is value propositions which focus on showing value for the network members. When people undertake a task, they have a personal reason behind it, whether that be advancing a career, working towards a cause, or even connecting with people. In her paper *The Power, Peril and Potential of Networks*, Scarce echoes this, stating that to address the different motivations of network members, it is necessary to create value propositions that will appeal to those different motivations.⁶³ So, when building a network, showing value in membership is imperative. Plastrik et al. highlight this, stating, “more than any other factor, value creation for members drives a network’s success, and the real nature of the value being created—and whether it’s sufficient—is in the eyes of the members not the network founders, funders, or coordinators.”⁶⁴ As Plastrik et al. point out, the value members see in the network makes the network sustainable. If they see no value, members will not continue to participate, bankrupting the network of its human assets. SK A2J Network members benefit from participation by:

1. Learning from other members and gaining perspective;
2. Having the opportunity to influence the access to justice response in Saskatchewan;

⁶² *Ibid.*

⁶³ Scarce, *supra* note 15 at 43.

⁶⁴ Plastrik et al., *supra* note 3 at 54.

3. Connecting with others to get inspired and motivated;
4. Building relationships with other leaders across the justice system;
5. Improving innovations by garnering feedback from other members;
6. Increasing the impact of independent initiatives through collective alignment;
7. Improving funding opportunities through collaboration;
8. Increasing information dissemination about initiatives;
9. Bringing energy and attention to the issue of access to justice; and
10. Finding support for initiatives in a variety of forms.⁶⁵

Factor 4: Coordination, Facilitation, and Communication

The next factor concerns how the network members coordinate, facilitate, and communicate. Networks are meant to connect people so that they can share. If the connection process does not flow smoothly, “almost nothing will slow down a network’s value creation and development more ...”⁶⁶ Ensuring that members can connect means managing three key aspects: *logistics*, which involves keeping track of records and setting up connection opportunities; *operations*, which involves keeping the network operating by working on funding, communications, etc.; and *strategic management*, which involves higher level management and decision making.⁶⁷ How these tasks are managed will depend on the network; large and well-established networks like RE-AMP have a chief network executive officer (CNEO).⁶⁸ But that might not be feasible at the outset. As a network grows and evolves, so will the need for communication and how best to approach that task. The SK A2J Network uses a range of mechanisms to coordinate, communicate, and collaborate. Coordination and communication occurs through:

1. **Network Meetings**—The network meets in person twice per year: in Regina in the spring and Saskatoon in the fall. These meetings focus primarily on information exchange between members and identifying access to justice needs and opportunities but may

⁶⁵ SK A2J, *supra* note 57.

⁶⁶ Plastrik et al., *supra* note 3 at 54.

⁶⁷ *Ibid* at 56.

⁶⁸ *Ibid* at 57.

also involve collective learning from external speakers or other activities as the membership sees fit. Network meetings are coordinated and facilitated by the Access to Justice Coordinator with support from the Ministry of Justice.

2. **Basecamp**—Network members connect between meetings using the online platform Basecamp. Here, members provide summaries of initiatives they are working on within their own organizations, post discussion items, provide information about events or initiatives, etc. This information remains internal and closed to others who are not network members. Basecamp is monitored and facilitated by the Access to Justice Coordinator with support from the Ministry of Justice and the Law Society of Saskatchewan.
3. **Telephone “Huddles”**—In between meetings, a recurring conference call takes place in January and September to enable all network members to connect to exchange information.* The conference call is one hour long and is intended to provide an opportunity to connect and share brief updates on initiatives or events. Members can tune in as they are able. Telephone huddles are coordinated and facilitated by the Access to Justice Coordinator. Network members are invited to submit agenda items.
4. **Legal Sourcing**—A blog operated by the Law Society of Saskatchewan Library provides information to Law Society members and a broader, growing readership. Members are encouraged to submit information about initiatives to Legal Sourcing. Such information posted to the blog is categorized under the ‘tag,’ “Access to Justice.”
5. **Bi-monthly Newsletter**—A bi-monthly communication compiled and distributed by the Access to Justice Coordinator and Crown Counsel lawyer outlining the past two months’ access to justice-related news. Members are encouraged to submit information about initiatives to the newsletter and encourage others within their organization to read and contribute to it.

Collaboration occurs through:

* During an ordinary year, the Saskatchewan Access to Justice Network meets in person twice annually in the spring and fall and meets through two Telephone ‘Huddles’ in between the in-person sessions; however, in response to the COVID-19 pandemic, the network has been meeting more frequently by utilizing an online format. Meeting notices are circulated via Basecamp, the network’s online information-sharing platform.

6. **The Dean’s Forum on Access to Justice and Dispute Resolution**—The network supports hosting an annual Forum to engage justice stakeholders in discussions on access to justice topics. The Forum is hosted at the University of Saskatchewan, College of Law, and presents and encourages discussion on access to justice research prepared by student/faculty members from the College of Law. Members are encouraged to suggest topics for analysis at the Dean’s Forum, which will be considered by the Dean’s Forum Steering Committee. Members are encouraged to be open to participating in student consultation.
7. **CREATE Justice**—CREATE Justice at the University of Saskatchewan, College of Law, focuses on access to justice research, evaluation, and action-oriented initiatives and serves as a lab for community-engaged activities. Members are encouraged to provide ideas for and to participate in CREATE Justice research and initiatives on an ongoing basis.
8. **Access to Justice Week**—A public engagement week in October that is coordinated and promoted by CREATE Justice. It provides opportunities to engage new voices in the access to justice conversation and highlight initiatives to improve access to justice for Saskatchewan residents. Members are encouraged to participate in the week’s activities and to use the week to engage with the public on access to justice issues and initiatives.⁶⁹

The SK A2J Network also created a set of Operating Principles. The Network operates according to the following principles:

1. **Network information and decision making is open and transparent**—Regular and transparent communication among the membership is essential to build connections and honour a decentralized model.
2. **The members do the work**—The coordinators support the members to connect and collaborate but do not replace the collaboration of the network members themselves. Members are encouraged to engage actively with the network and, as appropriate, to leverage the membership’s connections, knowledge, competencies, and resources to achieve shared objectives.
3. **Do everything with someone, not alone**—When undertaking new initiatives, members are encouraged, as appropriate, to

⁶⁹ SK A2J], *supra* note 57 at 3–4.

connect with other members who may wish to join the effort or offer feedback. Working groups of members may be established when needed to explore possibilities for and coordinate collaboration.

4. **Let connections flow to value**—What members value and are interested in drives network activities. It is okay to adjust and adapt network activities over time to reflect members' interests. Existing efforts will be continued, or new efforts initiated only if sufficient support from membership exists.
5. **Chatham House Rule**—To encourage open discussion, all discussions at membership meetings invoke the Chatham House Rule, such that while members are free to share information arising at the meeting with others, members are not free to attribute comments, discussion, or concepts to a specific member. A summary of each meeting will be produced and distributed, which can be shared by network members with member organizations.
6. **Respect confidentiality**—Members may request that information shared with the network remain confidential. Members are expected to identify when the information they are sharing is confidential and honour the request for confidentiality from others.
7. **Members are conduits of information**—Member representatives are expected to be the information conduit between the network and their organization by gathering information from their organization to share with the network and to share information from the network with their organization.⁷⁰

Factor 5: Resources

The fifth factor is resources, the question of funding. What is the funding model, and where will that money come from? Since networks are about connecting people, there will be costs, and it is important to consider how to achieve sustainable funding. As Plastrik et al. point out, in the beginning, the members can absorb many network costs. Some member organizations can contribute by donating money, taking on costs, or providing in-kind contributions. Such costs will typically include network convening, staffing, or communication costs.⁷¹ Funding can be difficult for networks in the beginning because they have no deliverables to show.

⁷⁰ *Ibid* at 4–5.

Pitching to a funder requires nontypical approaches. Tips to be successful in securing funding may include:

- Focusing on the potential impacts of the network.
- Being ready to explain why a network model is necessary.
- Providing examples of successful networks.⁷²

Voluntary efforts and in-kind contributions that members make can also be quantified and used to show network value.⁷³ Funding is essential; as networks grow, they will need more funding. It is important to consider long-term funding from inception to ensure the network stays financially sustainable. In Saskatchewan, the following funding model has been arranged for the Network:

The Law Foundation of Saskatchewan provides funding for the joint position of Access to Justice Coordinator and Director of CREATE Justice. The responsibilities for this position include co-coordinating the network and co-facilitating network meetings and connectivity tools. Additional coordination and facilitation support is provided by the Ministry of Justice and the Law Society of Saskatchewan.

Catering expenses for Saskatoon meetings are covered by the College of Law and for Regina meetings by the Ministry of Justice.

Network members contribute to the network in-kind by funding travel expenses and committing staff time to engage in network activities.⁷⁴

Factor 6: Governance

Governance requires determining who will decide what and how. Often at the start of network formation, the founders will take on much of the responsibility. This is because the network is new, and members may not be ready or willing to take on decision-making responsibility.⁷⁵ As with any group, networks will need to go through Tuckman’s stages of group formation, which are forming, storming, norming, and performing.⁷⁶ Once a group *forms*, they will inevitably need to work through logistical

⁷¹ Plastrik et al, *supra* note 3 at 60.

⁷² *Ibid* at 61–63.

⁷³ *Ibid* at 64.

⁷⁴ SK A2], *supra* note 57 at 2.

⁷⁵ Plastrik et al, *supra* note 3 at 65.

⁷⁶ Judith Stein, “[Using the Stages of Team Development](https://tinyurl.com/3czyd5zs)”, online: *MIT Human Resources* <<https://tinyurl.com/3czyd5zs>> [perma.cc/XR4P-7MZN].

items such as structure, goals, and objectives, called the *storming* process. Through this, *norms* will form, and at that stage, the network will be able to *perform*. Decisions can be made through consensus, democracy, action, compliance, or some combination.⁷⁷ A governance model that members are engaged with will ensure that the network can continue functioning efficiently.⁷⁸ The SK A2J Network has set out the following governance structure:

All members are responsible for contributing to the network, maintaining the network health, and guiding the focus and direction of the network activities. All members have equal status within the network. No network member has the power to unilaterally direct the activities of the network. The network is comprised of members from organizations, each with their own mandates and accountability structures. Network members are not formally accountable to the network, and the network does not have the power to direct the activities of any member.⁷⁹

Factor 7: Assessment

The final factor is assessment, specifically determining how the network will monitor its performance and health. There are two main assessment requirements: “the degree to which a network satisfies its members’ value propositions” and “the degree to which members are connecting.”⁸⁰ Without this information, it is difficult to understand how effective the network is and whether it provides value to its members. In Saskatchewan, “[t]he network monitors its condition by conducting an annual membership survey. The survey results will be posted on Basecamp.”⁸¹ A survey was conducted, and results were shared in 2019. When the COVID-19 pandemic hit in 2020, the Network co-coordinators shifted to ask a series of reflective questions in 2020 and 2021 that have helped shape the approach of the Network.

With the next stage of strategic planning for the SK A2J Network set for mid-2022, alongside the release of the Canadian Legal Problems Survey results and the Saskatchewan Legal Needs Assessment findings, this “in-between” space invites reflection on the benefits and challenges of the network approach in Saskatchewan, offered below.

⁷⁷ Plastrik et al., *supra* note 3 at 67–68.

⁷⁸ Grant, *supra* note 22 at 1–2.

⁷⁹ SK A2J, *supra* note 57 at 1–2.

⁸⁰ Plastrik et al., *supra* note 3 at 69.

⁸¹ SK A2J, *supra* note 57 at 3.

Part 3: Reflection on benefits and challenges of networks— how some SK A2J Network member organizations have used the power of networks to improve access to justice

The five benefits and four challenges of networks outlined in Part 1 will be considered here in relation to the SK A2J Network. We also offer reflections on how some SK A2J Network member organizations have used the power of networks to increase access to justice.

Benefit 1: Creation of coordinated action and connectivity

One of the notable benefits that networks provide, which has become apparent in relation to the SK A2J Network, is the creation of coordinated action and connectivity. Such connections often help maintain and generate more connections and relationships necessary to start and support projects outside the Network. Specifically, the bonds formed at the Network table have allowed different members to align on certain problem areas and work towards coordinated action to mitigate these problems. Various working groups have formed because of Network connections. A key benefit of networks—connecting people in order to avoid duplication and create connections in efforts, leading to reduced cost and increased efficiency—has also resulted in securing new funding for these working groups beyond the initial investment of the “Network weaver” position of Access to Justice Coordinator/Director of CREATE Justice. For example, Network member organizations have collaborated on finding funding sources and launching the Saskatchewan Access to Legal Information (SALI) Project, launched in 2017, the Legal Coaching and Unbundling Pilot Project (LCUP), launched in 2019, and the Communicating Legal Information Project, launched in 2022, described below.

SALI (the Saskatchewan Access to Legal Information Project) was established in 2017 in response to the 2016 Dean’s Forum Meeting, which discussed how trusted intermediaries, such as library representatives, as credible information providers, could help improve access to justice in Saskatchewan. Since then, several SK A2J Network member organizations have allocated resources to this group, which seeks to better assist public library staff within the province to equip their patrons with access to legal information.

Additionally, thanks to the support of the Canadian Foundation for Legal Research, *LCUP (the Legal Coaching and Unbundled Project)* launched through collaboration among SK A2J Network member organizations such as CREATE Justice, the Law Society of Saskatchewan, and the Saskatchewan Ministry of Justice. LCUP was established in 2019

arising out of the proposed need discussed at the 2013 and 2014 Dean's Forums. The project aims to support, enhance, and advance legal coaching and use limited-scope retainers within the province of Saskatchewan to make justice more accessible. Through relationships built within the Network, the LCUP project saw judges become involved in sharing information about the project, as appropriate, with other judges across the province, which positively increased its impact on access to justice.

As Plastrik, Taylor, and Cleveland suggest, the Network has indeed enabled “connections with each other” to generate “more and more collaborative effort over time”.⁸² The Network fostered collaboration that led to CREATE Justice, USask College of Law, the Saskatchewan Ministry of Justice, and its project partners being awarded an inaugural grant from the Right Honourable Beverley McLachlin Access to Justice Fund. This funds a research initiative examining how best to deliver accurate, accessible, and understandable online legal information to diverse user groups, particularly newcomer communities in Saskatchewan.

Finally, another notable positive effect of the Network arising from the creation of coordinated activity and connection includes the creation of an open dialogue among members for struggles and areas of improvement. In Saskatchewan, having leaders and staff attend Network meetings has been effective. This perspective creates a more holistic picture of access to justice in Saskatchewan. This has allowed the Network to highlight certain focus areas and build better relationships among Network members and organizations. For example, some members have seen positive benefits in having a stronger connection with some members of the judiciary as a direct result of their Network membership, which otherwise would not have existed. Those relationships have also resulted in the opportunity to advance access to justice through, for example, the creation of a project with the Court of Appeal and Saskatoon's poverty law clinic, CLASSIC, which sought to increase the number of legal texts inmates have access to within the prison system.

Benefit 2: Members retain autonomy while still working towards the common goal

With respect to Benefit 2, it is crucial that each member of the Network maintains their own motivations and mandates. Network members must ensure that members' participation in the Network does not overshadow their mandates. Given the type of Network that has been established—a connectivity network, as described above in Part 2 of this paper—each member can attend meetings with the understanding that the Network

⁸² Plastrik et al., *supra* note 3 at 6.

will never attempt to jeopardize their Network members’ mandates. The connectivity network allows for the inclusion of numerous justice stakeholders while also allowing for growth and success in tackling access to justice issues. The SK A2J Network has existed for five years. This is a testament to the Network members, who need to maintain autonomy while collaborating to move access to justice forward. This is a notable achievement.

Benefit 3: Rapid growth and diffusion

The SK A2J Network members have realized growth and diffusion by implementing new initiatives such as the Saskatchewan Access to Justice Week since 2016 and now the Canadian Access to Justice Week since 2020, both of which originated at CREATE Justice. Both initiatives have since grown through the support of a number of organizations. The benefit of the information exchange at the Network has enabled greater diffusion of ideas, information, and resources through approaches like the A2J Weeks. Also, networking with members who perform other functions within the justice realm allows for further collaboration in new justice arenas. For example, one SK A2J Network Co-Chair also sits on the Action Committee. Through highlights and updates shared among the Network members, members have become more engaged with the work of the Action Committee.

Benefit 4: Highly adaptive and resilient

The adaptability and resilience of the SK A2J Network were tested during the COVID-19 pandemic. Network co-coordinators were quick to adapt and implement technology that will be able to persist fully or in a hybrid model “post-pandemic.” Operational efficiencies and cost avoidance for funders and other stakeholders were improved during the pandemic, and potentially in the future. At the start of and throughout the pandemic the Network co-coordinators undertook extraordinary efforts to support and respond to inquiries and ideas from the general public, stakeholders, faculty, students, alums, and media. These contributions and innovative ideas went beyond standard requirements in supporting stakeholders. For example, during the pandemic, the number of Network meetings was increased online to maintain a sense of community and productively discuss innovative ideas and actions related to the pandemic and justice innovation.

Another example that involved quickly adapting to make the most of the online circumstances and advancing collaboration and innovation was, as stated above, reaching out to contacts from across the country to

combine forces to establish Canada's first-ever National Access to Justice Week. The week features online programming to improve access to justice, available to the public, stakeholders, faculty, and students across Canada. Online events and meetings allow for participation beyond those who may normally partake. This builds community among justice organizations and other stakeholders in new ways and among people not previously connected.

Benefit 5: Greater impact potential and can take on large social problems

The connection among Network members has allowed the group to think of and enact projects on a (1) short; (2) medium; and (3) long-term basis. Given the flexibility of the Network and its mandate, members are not constrained by dictated timelines. They are free to engage in access to justice projects in a manner that suits their individual and organization's needs, interests, and capacity while maintaining the Network's mandate. In Saskatchewan, we developed three different types of projects that the Network routinely takes on:

1. Short-term projects: For example, one or two topics are undertaken annually through the Dean's Forum that is addressed over the short-term, in approximately seven months.
2. Medium-term projects: Projects that have a term of longer than one year, but have an intended end date, would fall into the medium-term timeframe, such as LCUP, discussed above under Benefit 1.
3. Long-term projects: Longer-term projects such as the SALI Project, also described under Benefit 1, are an extension of the Network, and continue indefinitely, with no end date. Of course, projects sometimes grow and evolve or end sooner than anticipated.

Each of these three projects deals with social problems in various ways and, based on their timelines, can tackle them differently.

In addition to the benefits provided to members through the SK A2J Network, it is also important to consider the shortcomings of the Network to assess its effectiveness in an effort to ensure the benefits outweigh the challenges. Four challenges are described below.

Challenge 1: Complete alignment is impossible

We have observed several problems in achieving complete alignment. First, organizational mandates do not always align with others in the Network. As mentioned, each member attends the Network with their own mandates and goals, often guided by outside factors. Second, in our Saskatchewan experience, some organizations have multiple members present at the Network table, which may limit some members' ability to participate fully due to the hierarchical structure of their organization. This results in certain limitations for members in terms of their individual capacity or authority for change. Networks are dynamic and ever-changing, and given each member's mandates and needs, sometimes there are projects the Network is unable to take on, which may lead to resentment and disagreement between members.

Challenge 2: The network is only as successful as its members allow it to be

The success of the Network relies on the group's willingness to work together. Safeguards must be put in place to maintain a balance of open conversation while also ensuring members are able to work together, despite disagreement. If even one member allows communication and collaboration to break down, it often leads to an unwillingness for members to work together, stalling any progress and forward momentum. In Saskatchewan, we have chosen to rely on one-on-one meetings away from the Network table as a safeguard against communication breakdown. Taking conflict out of the Network space for resolution is sometimes necessary. One-on-one meetings can help ensure that communication continues and members feel comfortable attending the meetings.

Challenge 3: Network members may rotate

While the core stakeholders at the SK A2J Network table have remained consistent since its inception, the representatives from these justice partner organizations have often rotated. As representatives rotate, the individual members' personalities, interests, and priorities also may change, impacting Network dynamics. While it is beneficial to have new perspectives, new membership brings a period of onboarding, which may temporarily slow progress. Bringing new members up to speed takes time and energy and often requires work to be done outside of Network meetings. The consequence of this is that any work done outside of the Network can strain the Network co-coordinators' limited time and resources, to ensure work and attention is not interrupted during Network meeting time.

Challenge 4: Networks have limits

While networks provide a platform to enact systemic change, limitations are inherent in every network. Continual reassessment of network membership and the types of problems network members aim to resolve is necessary. Given some of the limitations networks have, such as institutional pressures or capacity, in Saskatchewan, people have come to the Network table recognizing that not everything can be done “at the table.” Members know the Network may not have the authority to fix certain problems and may need to utilize other avenues for change outside the Network, such as subcommittees or working groups. These may be enacted with the understanding that certain Network members may be precluded from attending such meetings.

Conclusion

This paper aimed to describe how networks provide positive benefits to their members, which can allow for broad systemic changes to take place. By providing members with an avenue to connect, align, and work creatively towards their goals, networks provide a foundation for stakeholders to create momentum for systemic change. The type of network chosen will directly impact the types of change its members can produce. It will also highlight similar experiences those members may encounter along the way. The description of the SK A2J Network provides an example of how to design and maintain networks to improve Canada’s access to justice goals.

Though networks may pose some difficulty for those trying to enact systemic change, where constant attention is paid to collaboration and fostering positive relationships, it is possible that change can occur. Despite challenges, successful projects (e.g., SALI and LCUP) demonstrate the power of networks. A decade has passed since the Action Committee and CBA reports were released. We hope that the next decade will further reduce the access to justice implementation gap. To achieve that goal, we invite other provinces and territories to share best practices around collaboration models for systemic change. Through sharing our success stories and challenges, we can spur access to justice progress across Canada.