

Human-Centered Design and the Justice System: Lessons from the Field

For the past two years, through my roles at the [Winkler Institute for Dispute Resolution](#) (Winkler Institute) and the [Canadian Forum on Civil Justice](#) (CFCJ) I have been working on applying the principles of human-centered design to the justice system. For those who may be unfamiliar, [human-centered design](#) (HCD) is a design method used to develop products and services from the perspective of those who use them. It is an intentional process, but also a creative one. It involves immersing yourself in the problem you are trying to solve, working with the people experiencing the problem, experimenting with solutions, and, most importantly, lowering your defenses and opening yourself and your design team up to candid and uncensored feedback about what you are doing wrong (and hopefully some things you are doing right)!

While we are only beginning to use the HCD process in the justice system, it is being successfully used to tackle [hunger and poverty](#), improve [patient experiences in the healthcare system](#), and provide solutions to [long-term unemployment](#). What makes HCD successful? In HCD users –those who are experiencing the problem – are the experts.

However, although I see more and more justice stakeholders experimenting with HCD, many skeptics remain. For this reason I wanted to share with you the results of an ongoing HCD project that we (Winkler Institute and CFCJ) have undertaken with [Yukon Courts](#) and the [Yukon Department of Justice](#), which is demonstrating that using this process can lead to tangible results.

The project began last fall when I was invited to Whitehorse by Yukon Courts and the Yukon Department of Justice to lead a family justice design workshop. I won't go into the details of that workshop as it has been previously written about [here](#), but, in short, our stakeholders (and now our partners) were interested in learning about the innovation tools they might use to help them respond to the needs of users in the family justice system.

One of the key insights emerging from this workshop, which included lawyers, community service providers, judges and members of the public, was that one of the “pain points” for family justice users – particularly those who are unrepresented – was completing the necessary forms. Forms generated stress and anxiety and were just plain confusing. Moreover, not only were the forms stressful and intimidating for the users, but filling out forms was also a point of anxiety for service providers who are often asked to assist with these forms.

This could have been the end of it. Some interesting ideas generated; a pat on the back given for hosting one of those newfangled innovation workshops. Good job to all.

Yet the Yukon Courts were not prepared to leave the insights they had gained unused. Soon after returning home I received a call asking if we would continue to work with the group to redesign the family law statement of claim using the HCD process. Thus began our Yukon Simplified Form Innovation Project. Working closely with the Yukon [Family Law Information Centre](#) (FLIC) and with FLIC's generous support, I returned to follow up on the discussion we had at the first workshop.

I don't have the space in this short piece to detail the process that we have undertaken over the last eight months (although we will be publishing a report soon – stay tuned), but I did want to share with you a couple of takeaways from our experience thus far.

- **Don't get defensive.** One of the unique things about the HCD process is that as you get closer to designing a product or service that is usable, engaging and useful, it often throws into sharp relief how unfriendly, unusable and uninviting the current ways of doing things are. When this happens it's hard not to get defensive. This is natural, but don't let it stand in your way. For our team, recognizing errors in the current process was motivation to design something even better.
- **Always bring it back to experience.** I recently made a trip back to Whitehorse to test the first series of form prototypes with users, service providers and lawyers. We wanted to get a sense of how clearly the different prototypes presented information, how quickly they could be filled out by users, etc. More importantly, we wanted to measure people's experiences when filling out the new forms. To do this we asked users to give us feedback on their stress levels as they were filling out the forms. We also asked them about their first impressions of the forms, i.e., were they intimidating, inviting, etc. The feedback we received from these questions will have just as much impact on the next iteration of our form as the feedback we received about the ease of use and accuracy.
- **Human-centered design is a mindset.** While I often introduce HCD as a methodology (as I did above), HCD is more than a method it is also a mindset. It requires that those on the design team (and those that support it) bring a particular set of values, beliefs and perspectives to the design challenge, namely the willingness to be creative, experiment, fail and, most importantly, collaborate with users to ensure that the final product meets the users' needs rather than their own. It's easy to get off track and fall into old habits of designing for those who work in the system rather than for those who use it. Many times throughout our process, our team had to reconnect with the HCD mindset reminding ourselves who we were designing for and why.

Undertaking a project in the justice system using HCD is challenging. We are still learning when and where to adapt the process to the culture and requirements of the justice system, and when *not* to adapt the process but rather to push for those engaging with it to expand their boundaries. I commend Yukon Courts and FLIC for embracing HCD and embarking on this project, which I hope will serve as an example for others as they experiment with HCD. Stay tuned to read more about the project and our final product.

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