

APPENDIX K: CHARACTERISTICS OF CASES SURVEYED IN CASE SPECIFIC QUESTIONNAIRE

Chart 1: Case Type

	Ottawa	Toronto	Thunder Bay	London	All locations
Collection	(9%)	(10%)	(6%)	(8%)	(9%)
Motor Vehicle	(13%)	(7%)	(14%)	(28%)	(13%)
Real property	(4%)	(6%)	(6%)	(4%)	(5%)
Contract Commercial	(13%)	(17%)	(7%)	(17%)	(14%)
Wrongful Dismissal	(17%)	(12%)	(4%)	(10%)	(12%)
Estates	(1%)	(1%)		(0%)	(1%)
Bankruptcy		(0%)	(0%)		(0%)
Construction lien	(6%)	(5%)	(3%)	(2%)	(5%)
Negligence	(12%)	(10%)	(17%)	(8%)	(12%)
Landlord tenant	(2%)	(2%)		(1%)	(2%)
Trust fiduciary duty	(2%)	(6%)	(4%)	(1%)	(4%)
Medical malpractice	(8%)	(10%)	(3%)	(3%)	(7%)
Other professional malpractice	(3%)	(7%)	(0%)	(2%)	(4%)
Personal injury	(14%)	(14%)	(24%)	(25%)	(18%)
Class action		(0%)			(0%)
Other	(19%)	(13%)	(34%)	(12%)	(18%)
Total # of respondents	(100%)	(100%)	(100%)	(100%)	(100%)

Chart 2: Number of Parties in Case

	Ottawa	Toronto	Thunder Bay	London	Total
Number of Parties in Case					
2	65.4%	61.9%	65.4%	73.3%	63.1%
3	17.5%	23.2%	19.6%	21.5%	22.3%
4	9.5%	6.8%	7.9%	2.6%	6.9%
5	3.9%	5.1%	3.3%	1.0%	4.7%
6 or more	3.8%	3.0%	3.7%	1.5%	3.1%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 3: Disposition Status of Case

	Ottawa	Toronto	Thunder Bay	London	Total
Not Disposed	41.2%	26.1%	41.4%	36.0%	26.4%
Disposed	85.8%	73.9%	58.6%	64.0%	73.6%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 4: Type of Disposition

	Ottawa	Toronto	Thunder Bay	London	All locations
Default Judgement	1.0%	1.5%	2.3%	0.0%	1.4%
Summary Judgement	2.4%	1.3%	1.6%	3.2%	1.6%
Dismissed of Delay	2.0%	0.9%	0.8%	1.6%	1.1%
Judgement obtained at trial	3.4%	2.2%	4.7%	0.8%	2.4%
Partial default judgement			0.8%		0.0%
Discontinued by Plaintiff not based on settlement terms	4.2%	2.2%	4.7%	6.4%	2.8%
Settled	84.1%	85.4%	79.8%	81.6%	84.8%
Other	3.0%	6.4%	5.4%	6.4%	5.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 5: Time from Commencement to Disposition (months)

	Ottawa	Toronto	Thunder Bay	London	All locations
Percentile 25	7	12	13	12	11
Median	14	19	20	22	19
Percentile 75	21	28	26	34	28
Percentile 95	31	41	38	42	39
Mean	15	20	20	23	20
Valid N	N=215	N=1280	N=88	N=86	N=1669
Col Valid N %	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 6: Next Scheduled Event (if case not disposed)

	Ottawa	Toronto	Thunder Bay	London	All locations
No future events scheduled	6.5%	25.6%	35.2%	31.9%	26.0%
Examinations for discovery	46.2%	22.9%	14.3%	11.1%	22.4%
Pretrial settlement conference	15.2%	12.1%	23.1%	19.4%	13.9%
Trial	12.3%	7.1%	6.6%	4.2%	7.1%
Motions related to discovery: documentary		3.6%		4.2%	3.1%
Motions related to discovery: oral/written		2.3%	2.2%	5.6%	2.4%
Assignment court/trial scheduling court		9.9%	2.2%	8.3%	8.5%
Other	19.9%	15.3%	16.5%	15.3%	15.7%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 7: Amount of Claim

	Ottawa	Toronto	Thunder Bay	London	All locations
\$0 to \$6,000	2.3%	1.5%	1.4%	1.8%	1.6%
\$6,001 to \$50,000	19.2%	15.2%	18.9%	18.1%	16.0%
\$50,001 to \$100,000	25.0%	17.4%	19.6%	12.1%	18.0%
\$100,001 to \$500,000	32.2%	41.1%	28.0%	36.2%	39.3%
\$500,001 to \$1,000,000	14.2%	13.2%	11.9%	19.3%	13.5%
\$1,000,001 to \$5,000,000	6.5%	7.9%	17.5%	10.8%	8.4%
Over \$5,000,000	0.6%	3.7%	2.8%	1.8%	3.2%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 8: Amount of Judgment or Settlement (excluding costs)

	Ottawa	Toronto	Thunder Bay	London	All locations
\$0 to \$6,000	9.7%	15.1%	16.9%	16.7%	14.6%
\$6,001 to \$50,000	46.6%	45.3%	40.3%	52.2%	45.6%
\$50,001 to \$100,000	20.5%	17.7%	19.5%	15.6%	18.0%
\$100,001 to \$500,000	19.9%	18.5%	19.5%	12.2%	18.4%
\$500,001 to \$1,000,000	3.4%	1.5%	2.6%	1.1%	1.8%
\$1,000,001 to \$5,000,000		1.0%	1.3%	2.2%	0.9%
Over \$5,000,000		0.8%			0.7%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Chart 9: Comparison of Cumulative Amount Claimed and Awarded (disposed cases)

	Cumulative Percentage	
	Amount Claimed	Amount Awarded
0 to \$6,000	2	13.8
0 to \$50,000	17.2	56.6
0 to \$100,000	36.9	76.9
0 to \$500,000	77.9	97.5
0 to \$1,000,000	91.2	98.8
0 to \$5,000,000	98	99.2
0 to over \$5,000,000	100.1	100

Chart 10: Comparison of Amounts Claimed and Awarded (disposed cases)

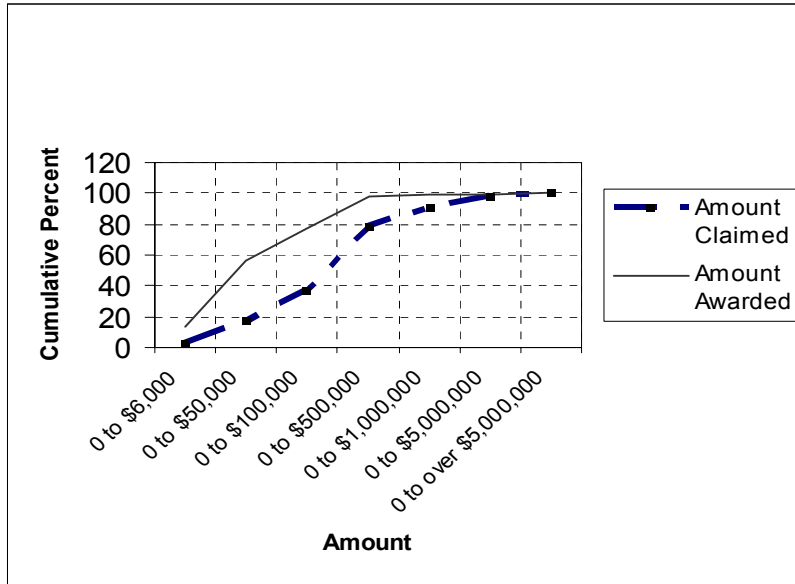


Chart 11: Discovery Process

	Discovery not commenced	Discovery commenced, but not complete	Discovery commenced and complete	Total
Ottawa	41.9%	27.1%	31.0%	100.0%
Toronto	35.8%	29.1%	35.2%	100.0%
Thunder Bay	39.6%	26.1%	34.3%	100.0%
London	27.8%	21.9%	50.2%	100.0%
Total	36.2%	28.3%	35.5%	100.0%

Chart 12: Discovery Process by Disposition Type

	Discovery not commenced	Discovery commenced, but not complete	Discovery commenced and complete	Total
Not Disposed	23.9%	42.8%	33.3%	100.0%
Disposition Status Unspecified	57.8%	31.7%	10.4%	100.0%
Default Judgement	62.3%	37.7%		100.0%
Summary Judgement	63.4%	30.8%	5.8%	100.0%
Dismissed of Delay	30.8%	65.6%	3.6%	100.0%
Judgement obtained at trial	26.2%	3.3%	70.5%	100.0%
Partial default judgement	100.0%			100.0%
Discontinued by Plaintiff not based on settlement terms	65.5%	32.0%	2.4%	100.0%
Settled	36.2%	22.3%	41.6%	100.0%
Other	57.9%	20.3%	21.8%	100.0%
Total	36.2%	28.3%	35.5%	100.0%

Chart 13: Occurrence of Different Types of Discovery Activities

	Ottawa	Toronto	Thunder Bay	London	All Locations
No discovery activity (as % of all cases)	42%	36%	40%	28%	36%
Documentary					
(as % of all cases)	58%	64%	60%	72%	64%
(as % of cases with discovery activity)	100%	100%	100%	100%	100%
Oral					
(as % of all cases)	35.8%	46.7%	45.2%	57.1%	46.1%
(as % of cases with discovery activity)	61.7%	72.7%	74.8%	79.1%	72.2%
Written					
(as % of all cases)	0.5%	0.6%	1.7%	1.5%	0.7%
(as % of cases with discovery activity)	0.8%	0.9%	2.9%	2.0%	1.1%
Medical examinations					
(as % of all cases)	13%	11%	5%	19%	11%
(as % cases with discovery activity)	21.7%	17%	8%	25.6%	17.4%
Production of expert or medical report					
(as % of all cases)	21%	23%	18%	31%	23%
(as % of cases with discovery activity)	36.6%	35.6%	30.4%	42.5%	35.8%
%	100.0%	100.0%	100.0%	100.0%	100.0%