

## APPENDIX L: KEY BENEFITS OF DISCOVERY

Respondents to the case specific questionnaire were asked to consider a list of 12 potential benefits of discovery and to indicate the extent to which any of these benefits were realized in their case.

Benefits realized in 80% to 90% of cases included:

- Strengthened the case in specific ways
- Obtained better understanding of the parties

These were followed by benefits achieved in 70% to 85% of cases:

- Prepared client for trial
- Reduced court time if matter proceeded to trial (Note: In Thunder Bay, this benefit was achieved in only 68% of cases, compared with 79% in Ottawa, 81% in Toronto and 78% in London.)

A number of benefits were realized in 50% to 65% of cases:

- Identified new documents
- Identified new basis for impeaching opponent or expert witness (Note: In Ottawa, this benefit was achieved in 67% of cases, as opposed to 53% in Toronto, 48% in Thunder Bay and 60% in London)
- Led directly to settlement (Note: In Ottawa, this benefit was achieved in 83% of cases, compared with 58% in Toronto and Thunder Bay and 63% in London.)

The following benefits were reported in 25% to 45% of cases:

- Identified new damages
- Identified new litigation strategies not known prior to discovery
- Identified new avenues for discovery, unknown prior to discovery

Respondents in fewer than 25% of cases noted the following benefits:

- Identified parties to be added
- Identified new legal basis for claim