



# **Document Disclosure 101**

## *Desk Reference Manual*

## **Introduction**

In an adversarial system of law such as we have in Canada, the parties to a lawsuit come before the court to present their version of the facts that gave rise to the dispute in question. The court is charged with resolving the contested issue by first examining and evaluating the information and evidence, of each side in order to make a finding of fact. Once the factual decisions are reached, the court then applies the relevant legal rules and principles to bring the matter to a close.

## General Information

*Document Disclosure 101*, the first in a trilogy of desk reference manuals that introduces the art of reviewing, organizing and listing documents in proceedings brought in the Supreme Court of British Columbia. Each volume of the series will build upon the skills and knowledge taught at the previous level, refining the students' abilities through explanation, discussion and exercise.

Guided by the underlying premise that each step in the litigation process ought to be viewed as part of the litigation process in its entirety, you are introduced at the outset to the evidentiary value of documents and how they might be used at trial. Upon completion of the trilogy, students will be able to organize and list documents in a comprehensive, purposive and concise manner that not only complies with Rule 7-1 but which also reflects a clear understanding of the evidentiary rules that will guide the proceeding to settlement or through to trial.

*Document Disclosure 101* introduces you to the process of document discovery and the listing of straightforward, relatively simple documents. A review of the substantive rules governing evidence will be touched upon as will some of the practical considerations relative to the ongoing obligation to disclose documents. You will develop an appreciation and understanding of what is needed at trial to prove documents and their contents.

In *Document Disclosure 101*, many of the concepts relating to document discovery will be presented at an introductory level and will be expanded upon in *List of Documents 201 and 301*. The learning outcomes for the trilogy can be found in Appendix B1 of this desk reference manual.

To assist you further, we have included some case law as references. If you need a primer on how to read case law, go to Appendix B2. Additionally, we have included a list of authorities which appear in Section C.

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