



# Pretrial Discovery and the Adversary System

*William A. Glaser*

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## **Pretrial Discovery and the Adversary System** William A. Glaser

Presents the results of the first national field survey of how lawyers use pretrial discovery in practice. Pretrial discovery is a complex set of rules and practices through which the adversaries in a civil dispute are literally allowed to "discover" the facts and legal arguments their opponents plan to use in the trial, with the purpose of improving the speed and quality of justice by reducing the element of trickery and surprise. Dr. Glaser examines the uses, problems, and advantages of discovery. He concludes that it is in wide use in federal civil cases, but that while the procedure has produced more information in some areas, it has failed to bring other improvements favored by its original authors.

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