

## ADVANTAGES OF MEDIATION

- It is confidential.
- Mediation can be less stressful and faster than going to court.
- Both sides have more control over the final solution than if a judge makes a decision. The Court cannot require some solutions, like an apology, but that might be important to you.
- Both sides have a chance to agree on a solution that works best for them.
- It can improve understanding with the other party.
- It can reduce bad feelings and hostility.
- Parties who mediate their disagreements usually experience higher satisfaction with the results than with court-ordered solutions.
- Mediation can help to mend a broken personal or business relationship.
- Mediation is voluntary. Both parties have to agree to try it and either can end the mediation at any time.

## BENEFITS FOR PETITIONERS

- Mediation can give you a chance to talk face-to-face with the defendant in a safe environment.
- Mediation can deescalate a tense situation, allowing you and the other person to have a productive talk about the problem with the help of a neutral mediator.
- Mediation can bring a final settlement to a case, allowing you to move on with your life.

## BENEFITS FOR RESPONDENTS

- Mediation can give you a chance to talk face-to-face with the Plaintiff in a safe environment.
- A neutral person, the mediator, will be there to help keep the conversation civil and productive.
- The result may be private and confidential and kept off any public record. This is important, especially if you are concerned about credit reports.
- You won't have a court judgment against you.
- You can move on with your life more quickly with an agreement with the other party.

## WHEN CAN I MEDIATE?

You can ask for mediation before or after you file your case. You don't give up your right to go to court if you don't completely settle the case.

If you are worried about the statute of limitations, you can file your case first before asking the other party to mediate. If you resolve your dispute through mediation, you can then dismiss your case.

Sometimes mediation may be available in the Courtroom on the day of your hearing. Mediators will talk to you about the case to see if mediation is appropriate.

## ROLE OF THE MEDIATOR:

- Helps you have a constructive conversation where each person gets a chance to talk.
- Helps the participants explore and negotiate their own solutions.
- Does not give legal advice or make decisions.

## WHAT IS CIVIL HARASSMENT MEDIATION?

A **Civil Harassment Restraining Order** protects people from harassment. Someone can ask for a restraining order if they are worried about their safety because they have been stalked, harassed, sexually assaulted, or threatened with violence.

If a restraining order is requested, the court will decide within 24 hours or less whether to grant a temporary restraining order until a hearing can be scheduled.

If the temporary restraining order is granted, a hearing date will be set.

If the temporary restraining order is denied, a hearing may or may not be set.

In mediation, an independent person works with you and the other side to work out a solution that works for both parties. Each person gets a chance to speak.

If your case is not resolved in mediation, you can still have a Court Hearing.

If you choose mediation, an independent person works with you and the other side to find a solution that works for both of you.

Mediation is voluntary. Both sides must agree to mediate and either side can end the mediation at any time.

### WHAT'S NEXT?

- If you **settle in mediation**, the plaintiff can dismiss the case. The mediation agreement is a contract that both parties have to follow.
- If you **don't settle in mediation**, you can still go to court.

### CONTACTS:

For information on how to set up a mediation, contact:

**SELF-HELP SERVICES: Tel. 510-272-1393**  
Monday – Thursday 2:00 P.M. to 4:00 P.M.

### OAKLAND:

René C. Davidson Courthouse  
Self-Help Services  
1225 Fallon Street, Room 109  
Oakland, CA 94612  
Monday to Thursday 8:30 A.M. – 4:00 P.M.  
Friday 8:30 A.M. – 1:00 P.M.

### HAYWARD:

Alameda County Office Building  
224 W. Winton, Room 179  
Hayward, CA 94544  
Monday to Thursday 8:30 A.M. – 12:00 P.M.

### FREMONT:

Fremont Hall of Justice  
39439 Paseo Padre Parkway, 3<sup>rd</sup> Floor  
Fremont, CA 94538  
Monday and Thursday only 8:30 A.M. – 12:00 P.M.,  
1:00 P.M. – 4:00 P.M.

### PLEASANTON:

Gale-Schenone Hall of Justice  
5672 Stoneridge Drive, 1<sup>st</sup> Floor  
Pleasanton, CA 94588  
Tuesday 8:30 A.M. – 4:00 P.M.

Superior Court of California  
County of Alameda  
Self-Help Services

## Restraining Order? Mediation can help!



Find out how to work out  
your Civil Harassment case  
with  
**MEDIATION**

Mediation can help you:

- ✓ Deescalate your conflict
- ✓ Rebuild broken relationships
- ✓ Settle your case