

CIVIL HARASSMENT: REASONS TO MEDIATE

Mediation can help you resolve conflicts in every area of your life: family, neighbor, co-worker, friend....

WHAT IS MEDIATION?

Mediation is a voluntary and confidential process in which a trained, impartial person helps the parties in conflict communicate with each other in a respectful and effective way. The mediator helps the parties define issues, overcome obstacles in their communication and explore potential solutions.

- Court connected mediation is free.
- Mediation does not require the formality of a court trial.
- Mediation is confidential and private.
- Mediation is a process that lets the parties control the outcome.
- Mediated agreements are legally enforceable.
- The parties can meet with the mediator in the same room or separately.
- The parties can preserve relationships that matter to them.
- If the parties do not reach agreement, they can still have a court hearing.

OPTIONS FOR SETTLEMENT AT COURT IN CIVIL HARASSMENT CASES

- The person being sued can agree to the restraining order.
- The parties can modify the terms of the temporary restraining order.
- The parties can agree to a legally enforceable contract.
- The parties can have a private verbal agreement.
- The parties can agree to extend the temporary order and ask the court to set a review date weeks or months ahead to assess progress.

Q. When should I mediate?

Mediation is possible at any time in the process up to the day of the trial. In general, it is best to attempt to resolve the matter as early as possible. A mediation program staff member can invite the other person to mediate with you before you file for a restraining order, or, if you have filed, before the court hearing. Mediation is offered at both the Lake and Mendocino Superior Courts on the day of hearing.

Q. What if the other person won't talk to me?

A major benefit of mediation is that the mediator will help you communicate effectively with each other. If you don't feel safe speaking with the other person directly, the mediator can talk with each of you separately and help you negotiate an agreement that works for both of you.

Q. How do I prepare for mediation?

Mediation is relatively informal and no prior preparation is necessary. It is most important to think about what matters to you about the conflict, what you want the other person to know about those concerns, and what you would like to achieve in mediation that addresses those concerns. It is also extremely important to listen to the other person's perspective and factor his or her concerns into your ideas for resolution.

Q. Can I get a restraining order through mediation?

One reason to mediate is that often a party being sued agrees to the restraining order. When this happens, everyone avoids having a hearing before a judge.

FOR MORE INFORMATION REGARDING MEDIATION, CONTACT:

In Lake County

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