

# Limited Civil Mediation

## What is limited civil mediation?

If you have a limited civil case (\$25,000 or less), you can:

- Have a trial in court, or
- Try to solve your dispute using mediation.
- If you choose mediation, an independent person works with you and the other side to find a solution that works for both of you.
- Limited civil cases can include: Unlawful Detainers (Evictions), Debt Collection, Auto Accidents, Employment, Contracts, and Injuries to persons or property.

Mediation saves:

- Money
- Time
- Stress

## What are the advantages of mediation?

Limited civil mediation is free, confidential, and usually faster than a trial. And, because you do not have a trial, it can be less hostile.

## Is mediation like a trial?

No. In a trial, you have to try to prove you are right. Then one side wins and the other side loses. With mediation, both sides can get some of their needs met.

## Do I have to use mediation?

No. But people who use mediation are usually more satisfied. And, because you work together to find a solution, there is less hostility. This can also make it easier to collect money owed to you.

## Can the mediator give me legal advice?

No. The mediator is not your lawyer.

## When can I use mediation?

You can use the Court's free mediation services after you file your court papers.

If you are worried about the statute of limitations, you can file your case before mediation. If you reach an agreement, then you can dismiss your case. Visit the ACCESS Center to see if your case is eligible for mediation.

The Self-Represented Litigant Mediation Program is limited to cases where at least one party is self-represented (does not have a lawyer).

## What if we don't reach an agreement in the mediation?

If mediation does not help you find an acceptable solution, you can still go to court on your scheduled trial date. If you try mediation first, you will have a better understanding of the other side's case against you.

## Can the other side appeal a mediated agreement?

No. But, if you go to trial, even if you win, the other party can appeal the judge's or jury's decision.

## If you are the Defendant (the person being sued), mediation can be better for you because:

- The agreement is private and confidential.
- You won't have a judgment against you.

**If you are the Plaintiff (the person suing), mediation can be better for you because:**

- The Defendant may be more likely to comply with a mutually agreed upon settlement.
- Even if you win at trial, it is up to you to enforce the judgment which can cost money and time.
- The Defendant may appeal the Court's ruling.

**What happens to the court case if we reach an agreement in mediation?**

You and the other side will make a written agreement. The mediator can help you with this. Then, the Plaintiff can dismiss the case. The Court may be able to keep the case open until all of the terms of your agreement have been met.

**Can I try mediation before I file my court papers?**

Yes, but there may be a deadline to file your case.

**Where do I go for mediation?**

The mediation will be at:

- Civic Center Courthouse
- ACCESS Center

We will schedule the mediation at a time that is convenient for both sides.

**Contact the ACCESS Center to request mediation or if you have more questions.**

Visit the ACCESS Center at:

575 Polk Street, Room 001

San Francisco, CA 94102

*(between Golden Gate and Turk Streets)*

**ACCESS Center hours are:**

Monday – Friday: 8:30 a.m. - 12 Noon

Monday – Thursday: 1:30 p.m. - 4:00 p.m.