

ATTACHMENT 9

POST MEDIATION SURVEY FORMS

Important! The form should be completed IN CAPITAL LETTERS using a BLACK or DARK BLUE ballpoint/fountain pen. Characters and marks used should be similar in the style to the following:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z 1 2 3 4 5 6 7 8 9 0

Post-Mediation Survey

Please submit your completed evaluation by mail or fax within 10 days after the mediation is over [Local Rule 3-125].

Superior Court of California, COUNTY OF SAN JOAQUIN

222 E. Weber Avenue, Room 303, Stockton, CA 95202

Fax: (209)468-8576 or E-mail: sbohrer@courts.san-joaquin.ca.us

Your responses will be used to improve the Mediation Program and to provide feedback to mediators. Staff outside the mediation program and trial judges will not see specific survey forms. No identifying information about you will be released.

1. Case Name: _____

2. Case Number: _____

3. Case Type: Personal Injury - Auto Real Property Collections
 Personal Injury - Other Employment Other (specify): _____
 Contract Construction

4. Name of Mediator (Last, First): _____

5. Date of Mediation: ____ / ____ / 20 ____

6. What is your role in this case?

- | | | |
|--|---|--|
| Party | Attorney | Other |
| <input type="checkbox"/> Plaintiff (person filing lawsuit) | <input type="checkbox"/> Attorney for plaintiff | <input type="checkbox"/> Claims representative |
| <input type="checkbox"/> Defendant (person being sued) | <input type="checkbox"/> Attorney for defendant | <input type="checkbox"/> Specify: _____ |

7. If you are a party, are you represented by an attorney in this case? Yes No

8. How many previous mediations have you participated in? 0 1-5 6-10 more than 10

9. How satisfied were you with the following in this case:	Highly Satisfied	Satisfied	Neutral	Dissatisfied	Highly Dissatisfied
a. Your overall experience with the mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The mediator's services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Court mediation program staff services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Convenience of the location for mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Convenience of the times available to mediate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Would you choose to use mediation in the future? Yes Possibly No

11. Please indicate whether you agree with the following statements about the impact of mediation in this case.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. Mediation in this case saved me time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Mediation in this case saved me money.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Mediation decreased tension between the parties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Who selected the mediator in this case? Parties Attorneys Court

- a. Which of the following were important in choosing this mediator (mark all that apply):
- | | | |
|---|--|---|
| <input type="checkbox"/> Used this mediator before | <input type="checkbox"/> Mediation training | <input type="checkbox"/> Office location convenient |
| <input type="checkbox"/> Mediator was recommended | <input type="checkbox"/> Mediation experience | <input type="checkbox"/> Mediator's fees |
| <input type="checkbox"/> Mediator was on court's list | <input type="checkbox"/> Mediation style | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> Language/Culture | <input type="checkbox"/> Professional background | |

Post-Mediation Survey - Page 2

13. Please indicate whether you agree with the following statements about your experience with THIS mediator.

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. The mediator clearly explained what would happen in the mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The mediator gave each party a chance to talk about what was important to them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The mediator understood what was important to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The mediator helped me understand the other party's point of view better.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The mediator helped the other party understand my point of view better.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. The mediator understood the subject matter of the case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. The mediator helped me to think about different ways of solving the dispute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. The mediator treated me with respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. The mediator treated me fairly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. The mediator maintained confidentiality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. I would use this mediator again.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 14. In this mediation, the mediator:** Wasn't active enough in encouraging settlement. Applied too much pressure to settle.
 Appropriately encouraged settlement. I don't know.

15. Did you reach an agreement (including a partial agreement)? Yes No

IF YOU REACHED AN AGREEMENT, please answer the following questions:

16. The agreement settled: The whole case Some of the issues in the case

17. Please indicate whether you agree with the following statements.

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. The agreement is fair.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. I am confident that the parties will keep the agreement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. We would not have reached agreement without the mediator's help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. We reached resolution more quickly than we would have without mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IF YOU DID NOT REACH AN AGREEMENT, please answer the following questions:

- | | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
|---|--|--------------------------|----------------------------|--------------------------|--------------------------|
| 18. Mediation moved the case toward settlement. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. Please indicate whether the following factors contributed to not reaching an agreement in mediation (mark all that apply). | | | | | |
| <input type="checkbox"/> An essential party did not attend. | <input type="checkbox"/> Additional information exchange/discovery was needed. | | | | |
| <input type="checkbox"/> A party was uncooperative. | <input type="checkbox"/> The mediator lacked sufficient skills or expertise. | | | | |
| <input type="checkbox"/> A party lacked authority to settle. | <input type="checkbox"/> Other (specify): _____ | | | | |

Post-Mediation Survey - Page 3

20. Please rate the services provided by the court mediation program in this case.

	Excellent	Good	Fair	Poor	N/A
a. Staff communications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Information about mediation provided before the mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you are represented by an attorney in this case, please answer questions 25 and 26. If you are an attorney or are representing yourself in this case, please answer questions 21 through 26.

21. What was the amount in controversy in the case at the time of the mediation?

- \$0-\$7,500 \$25,001-\$50,000 \$100,001-\$500,000 \$1,000,001+
- \$7,501-\$25,000 \$50,001-\$100,000 \$500,001-\$1,000,000

22. Was any non-monetary relief requested? Yes No

23. Please estimate the amount by which mediation increased or decreased your client's (or your) costs of resolving the dispute (costs include attorney fees, expert witness fees, and other costs, but not the cost of any settlement paid)?

- Decreased by: Increased by:
- \$0 \$5,001-\$10,000 \$25,001-\$50,000 \$100,001-\$250,000
- \$1-\$5,000 \$10,001-\$25,000 \$50,001-\$100,000 \$250,001+

24. Did using mediation increase or decrease your court appearances and trial days in this case?

a. Court Appearances (Hearings, Conferences and Motions):

- Decreased Increased 0 1 2-4 5-10 11+

b. Trial Days: Decreased Increased 0 1 2-4 5-10 11-20 21+

25. Please tell us more about your experience:

a. Things I liked about the mediation: _____

b. Things I didn't like about the mediation: _____

c. We welcome any other comments or suggestions you may have regarding the mediator used in this case or the ADR program: _____

26. Please help us learn more about the people our program is serving.

Zip Code: _____

Age Range: 18-21 22-29 30-39 40-49 50-59 60-69 70+ years

What languages do you usually speak at home?

English Spanish Chinese Other (please specify): _____

Ethnicity: American Indian/Alaskan Native Latino or Hispanic Other (specify): _____

Asian Native Hawaiian/Pacific Islander

Black/African American White, Not Hispanic

Household income (Number of people in household _____):

\$0-\$15,000 \$30,001-\$45,000 \$60,001-\$75,000 \$90,001-\$120,000

\$15,001-\$30,000 \$45,001-\$60,000 \$75,001-\$90,000 \$120,001 or more

Important! The form should be completed IN CAPITAL LETTERS using a BLACK or DARK BLUE ballpoint/fountain pen. Characters and marks used should be similar in the style to the following:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z | 1 2 3 4 5 6 7 8 9 0 ☒ ☑

NAME OF COURT

To help us to maintain the quality of our mediation program, please answer the questions below. Staff outside the mediation program, judges, and mediators will not see specific survey forms. No information that identifies you will be released.

Case Name: _____

Case Number: _____

Mediator Name: _____

Mediation Date: _____

1. What is your role in this case? I am the person who filed this lawsuit I am the person who was sued
 Other (please specify): _____

2. What led you to use mediation in this case?

- The court required me to go to mediation
- Printed information from the court about mediation
- A video about mediation
- The court/mediator suggested mediation
- Information about mediation on the court's website
- Other (please specify): _____

3. Please respond to the following statements about your experience with the mediator in this case.

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. The mediator clearly explained what would happen in mediation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The mediator was active enough in helping us to work out the issues in the dispute	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The mediator gave me a chance to talk about what was important to me	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The mediator understood what was important to me	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The mediator treated me with respect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. The mediator treated me fairly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. The mediator in this case: Appropriately encouraged settlement Applied too much pressure to settle

5. Please indicate how mediation affected the following:

	Worsened	No Impact	Improved
a. Communication between me and the other party	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. My feelings toward the other party	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Participating in mediation helped me:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. Understand the other side's point of view better	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Understand the legal issues in the case better	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Think about different ways of solving the dispute	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONTINUE ON THE OTHER SIDE OF THIS PAGE

7. Has the mediation ended? Yes No, we agreed to continue the mediation

8. IF THE MEDIATION ENDED, what was the outcome of the mediation?

- a. We did not reach agreement on any issues in the case
- b. We reached agreement on some of the issues in the case
- c. We reached agreement on all the issues in the case

9. IF YOU DID NOT REACH AGREEMENT ON ANY ISSUES (you checked 8a. above), please indicate the reasons you did not reach an agreement in mediation (check all that apply):

- It was better for me not to settle
- Someone we needed was not at the mediation
- A participant did not have authority to settle
- A participant was not willing to negotiate
- Other: _____
- Additional information or documents were needed
- I needed more information about the law on the issues in the case
- The mediator lacked sufficient mediation skills
- The time for mediation was too short

10. IF YOU REACHED AGREEMENT ON SOME OR ALL ISSUES (you checked 8b. or 8c. above), please respond to the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
a. The agreement is fair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. I am confident that the parties will keep the agreement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. We could not have reached agreement without the mediator's help	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Was the mediation process fair? Yes No

12. How satisfied are you with THE OUTCOME of the mediation?

😊 Very satisfied Satisfied Neither satisfied or dissatisfied Dissatisfied Very dissatisfied 😞

13. Regardless of the outcome, how satisfied are you with YOUR OVERALL EXPERIENCE in the mediation?

😊 Very satisfied Satisfied Neither satisfied or dissatisfied Dissatisfied Very dissatisfied 😞

14. Would you be willing to use this mediation service again in the future? Yes No

15. Would you recommend this mediation service to others? Yes No

We welcome any other comments or suggestions you would like to make:

Thank you for completing this survey!

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