

MEDIATION MAY BE A BETTER CHOICE THAN FILING A SMALL CLAIMS CASE

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.

- Mediation is less stressful and more private than the courtroom.
- Decisions made in mediation cannot be repeated in court later.
- You can find solutions that meet all your interests, including matters in the dispute that don't involve money.
- You are the experts in your dispute and can craft creative solutions that suit you both.
- You get help communicating and negotiating with the other side.
- You can speak freely - the mediator helps both sides hear and understand each other.
- You can find solutions that feel fair to both sides.
- You can protect and preserve your relationship with the other person.
- Mediated agreements are legally enforceable.
- If you don't settle you can still have a trial.

Q: What happens in mediation?

Both of you meet with a mediator who helps you listen to and understand each other's point of view. If you want to come to an agreement, the mediator can help you think through all of your options.

Q: When should I mediate?

The earlier, the better. You can mediate before or after the case has been filed. It is offered at both the Lake and Mendocino Courts on the day of hearing.

Q. I'd rather avoid filing a case, but what if the other person won't talk to me?

A mediation program staff member can help by contacting the other person for you and inviting him or her to mediation on your behalf. If the invitation is declined, you can still file a lawsuit.

Q. If I'm the one being sued, can I request mediation?

Either side can initiate mediation. Mediation is a voluntary process and works best if both sides are willing to work things out.

FOR MORE INFORMATION REGARDING MEDIATION, CONTACT:

In Lake County

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In Mendocino County

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