



## **Solano County Bar Association**

**Community Alternative Dispute Resolution,  
Pre Suit & Small Claims Mediation Program**

## **MEDIATION**

Mediation is not about who is right or wrong, or who wins the case, but about negotiating a settlement so everyone involved reaches a resolution that meets their own needs.

### **THE MEDIATOR**

The Solano County Bar Association's Mediators are trained and skilled in helping people examine their situation in terms of their needs and interests. They are non-attorney and attorney volunteers committed to assisting others resolve conflict. This service is free or low cost to all Solano County residents.

The mediators are impartial, process managers. By remaining neutral, they can guide all sides to look objectively at the case. This allows enhanced communication between parties, which is essential in facilitating a settlement. The process is confidential; Mediators assist in facilitating an agreement among the parties.

### **GOAL OF MEDIATION**

The ultimate goal of mediation is for parties to reach a productive and satisfactory settlement that they have helped create.

### **WHAT TO EXPECT**

Mediation begins with a discussion of the situation, followed by the Mediator working with the disputants, both together and separately, when appropriate. Once a resolution is agreed upon, the Mediator will write up the agreement for both sides to sign. The parties can determine if they want their settlement to be a binding agreement.

## **BENEFITS OF MEDIATION**

- Mediation can be scheduled quickly.
- Timely mediation increases the likelihood of a Win-Win solution
- The hearings are private and confidential, not public.
- The parties retain control over the outcome.
- The parties craft their own resolution instead having a decision imposed upon them by a Judge or jury.
- The parties can be more creative in finding a solution.
- The mediation process often preserves relationships.
- Mediation is often less costly than litigation.

### **WE ENCOURAGE YOU TO CONSIDER MEDIATION FOR DISPUTES INVOLVING, BUT NOT LIMITED TO:**

Neighbor—neighbor conflicts  
Insurance claims  
Personal injury disputes  
Business disputes  
Landlord-tenant matters  
Domestic disputes over property

If you are considering filing a small claims lawsuit, we encourage you to call the Dispute Resolution Service first. We will advise you whether your conflict is amenable to mediation, and if you agree we will attempt to contact the other party and invite them to participate in mediation.

# SMALL CLAIMS MEDIATION PROGRAM



Mediation services for the Small Claims litigants may be scheduled in advance of a court date or on site on the day set for hearing. Mediation is an alternative form of dispute resolution that has proven very effective in helping Small Claims litigants to resolve their cases. As such we would encourage you to schedule a Mediation appointment prior to a hearing date as we are confident that most disputes can be settled by using Mediation. Many people are finding that mediation is a preferable way to resolve their conflicts. During a mediation session, a mediator meets with both parties of a Small Claims action and helps them gain a deeper understanding of their conflict, so they can create their own solutions to the dispute.

## WHY USE THE SMALL CLAIMS MEDIATION PROGRAM?

Mediation can be beneficial to both plaintiffs and defendants. Mediators are specially trained to help people with conflicts find constructive ways to resolve them. Even if the other party involved in the case seems unreasonable or you have already tried to resolve your case, mediation may still be helpful. Mediation allows the parties involved in the case to choose solutions that work best for them. When parties take their case to court before a judicial officer, there is a risk that neither party will get the outcome that she/he wants. Mediation allows the parties to retain control over what happens in their case.

## BENEFITS OF SMALL CLAIMS MEDIATION

- Promotes communication and cooperation

- Helps people end problems, not relationships
- Prevents the escalation of conflict
- Allows the people with the conflict to choose solutions that works best for them
- Parties can structure payment plans that fit within their budgets
- Allow parties to keep the issues in their case confidential
- People who create their own agreements are more likely to follow through with their promises

## HOW DOES THE SMALL CLAIMS MEDIATION PROGRAM WORK?

The mediation session takes place outside the courtroom on the day scheduled for the trial. Both make an appointment ahead of time to participate in mediation the plaintiff and the defendant must agree to participate in the process. A mediator will meet with you and the other party about your case. You do not need to on the day of your hearing; however, you may call the program office ahead of time, if you wish to try to resolve your Small Claims case prior to the hearing date.

If your case is resolved through mediation, you and the other party will sign a document that outlines what you both have agreed to do. The document will become a part of the court file. If you are not able to resolve your case through mediation, you will go back into the courtroom and a judicial officer will hear your case. Mediation will not delay your opportunity for a court hearing.

The mediators for the program are provided by the Solano County Bar Association and this program is a part of the Superior Court of California, County of Solano's ADR program. Mediation services are provided to the litigants free of charge. Further information about mediation services is available at the Small Claims office in the Court or by calling the Solano County Bar Association at 707-422-5087.