
NOTICE TO SMALL CLAIMS LITIGANTS

The Superior Court of California, County of Santa Clara – Small Claims Division encourages alternative dispute resolution (mediation) to resolve cases where the parties agree to participate voluntarily.

WHAT IS MEDIATION?

Mediation is a voluntary process for resolving disputes with the help of a neutral third party, called a mediator. Mediation allows you and the other party to reach a mutually acceptable settlement of the cases instead of having to appear in court to have a judge impose a decision on you. **Mediation proceedings are confidential and conducted in private.** The mediator will not provide legal advice, evaluate your case, or make any decision or judgment for you. However, the mediator will help you and the other party focus on reaching an agreement that is acceptable to all parties involved in the dispute. The mediator will draft a written agreement.

WHEN CAN I GO TO MEDIATION?

You may participate in mediation before your court appearance date regardless of where the case was filed. If you choose mediation, you are encouraged to contact the following agencies as soon as possible to schedule the mediation or to ask any questions that you may have:

SMALL CLAIMS DISPUTES

SANTA CLARA COUNTY DISPUTE RESOLUTION PROGRAM SERVICES
at (408) 792-2327 or email opencase@ohr.sccgov.org or visit www.sccdrps.org

HOUSING & NEIGHBORHOOD DISPUTES

SANTA CLARA COUNTY DISPUTE RESOLUTION PROGRAM SERVICES
Community Disputes at (408) 792-2327 or email opencase@ohr.sccgov.org
or visit www.sccdrps.org

OR

PROJECT SENTINEL

Gilroy, Palo Alto, Mountain View, and Sunnyvale at (408) 720-9888

The staff at the offices listed above will discuss the mediation process with you. They can provide a wide variety of conflict resolution services.

HOW DOES MEDIATION WORK?

Both the plaintiff and the defendant must agree to participate in the process. A mediator from the program will meet with you and the other party in your case. You may wish to call the dispute resolution program office ahead of time to try to resolve your Small Claims case before 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. If you are not able to resolve your case through mediation, you will go to court and a judicial officer will hear your case. Mediation will not delay your opportunity for a court hearing. The Court, of course, hopes that the mediation will resolve the dispute and eliminate the need for court action.

WHAT ARE THE BENEFITS OF MEDIATION?

One of the advantages of mediation, compared with a trial, is that it allows the parties more time to present their issues and it allows options and resolutions to be discussed candidly and privately. As a result, the parties to a dispute can be in more control of the resolution than when a judge is involved. **Mediation proceedings are confidential and conducted in private.** Mediations can be conveniently scheduled at any time during the day, some early evenings, and on limited weekends.

For more information on how mediation can help your case, please go to;

- http://www.scscourt.org/self_help/self_help_videos.shtml

OR

- Go to www.scscourt.org
- Click on "Self-Help" near the top of the page,
- Click on "Small Claims", then
- Click on "Self-Help Videos" link in the top, middle section of the page