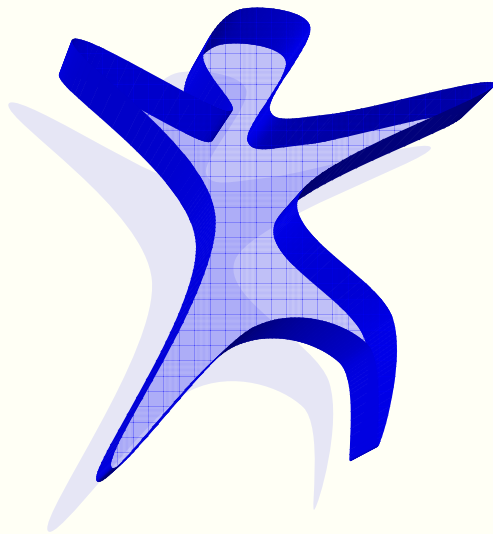


SETTLE
YOUR
DISPUTE



WITHOUT
GOING TO
TRIAL

THE FACTS



- 95% of cases settle before trial.
- Mediation promotes quicker, cost effective settlements
- California Courts are successfully using Mediation, including the Federal Courts.

WHAT IS MEDIATION?

- An Alternative Dispute Resolution (ADR) Process
- Assisted Negotiations
- Experienced Neutral (Mediator)
- Party Participation
- Voluntary
- Confidential (Las Vegas)
- Informal & Flexible Process (not just money)
- Expeditious & Cost-Effective

HOW DOES MEDIATION START?



THE MEDIATOR:



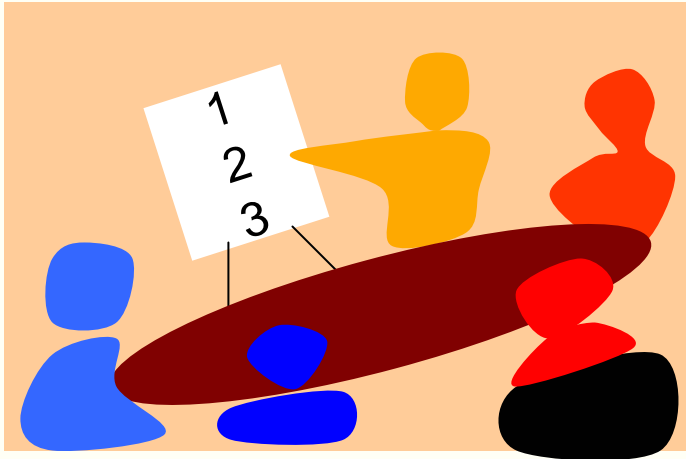
- Brings decision makers together.
- Assures all points of view are considered respectfully.
- Keeps focus on resolutions that work for both sides.
- Maintains & ensures confidentiality.

WHAT DOES THE MEDIATOR DO?

- The Mediator:
is neutral, facilitates communication, adds experience & expertise, and keeps focus on settlement.

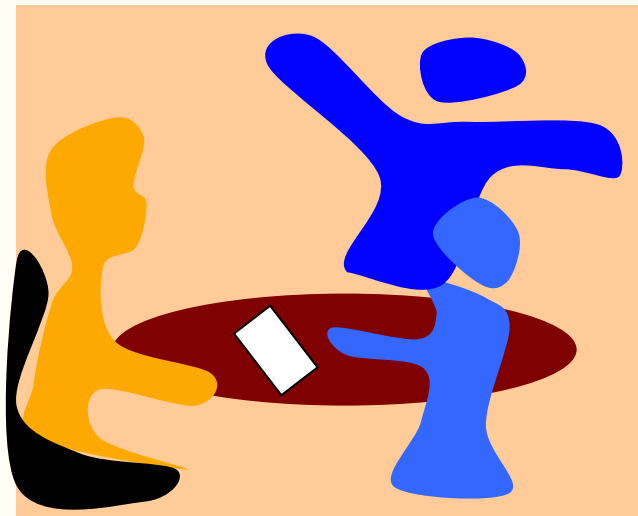


HOW DOES MEDIATION WORK?



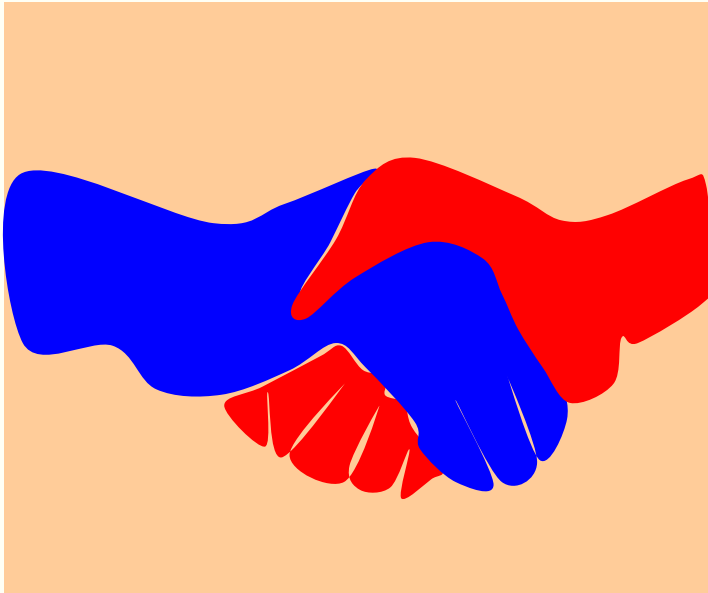
- Parties consult individually in private and confidential sessions

- Parties meet together in confidential joint sessions



MEDIATOR AND RESOLUTION

Mediators help parties move beyond impasse:



- Find areas of agreement
- Brainstorm together for new approaches to settlement
- Evaluate offers and alternatives

WHEN IS MEDIATION APPROPRIATE?

- Always – It's a win-win process.
 - Before communication closes
 - Alternative to litigation
 - Any time before trial
 - Post judgment

WHAT TYPES OF CASES GO TO MEDIATION?

- General Civil
- Auto Accident (PI or fender-benders)
- Construction Defects
- Landlord/Tenant (unlawful detainer)
- Neighbor Disputes
- Product Liability
- Consumer Fraud

FIND & SELECT A MEDIATOR?

Court Website –

www.sccsuperiorcourt.org/civil/adr.htm

(All Santa Clara Superior Court Mediators are professionally trained & certificated.)

Bar Association

Your Attorney

Yellow Pages

HOW MUCH DOES MEDIATION COST?

- Mediators charge by the hour (which usually can take between 3 to 6 hours.)
- Parties split the costs
- Quicker and cheaper than litigation (The average run-of-the-mill personal injury case costs more than \$25,000 without a jury trial.)
- Community-based Mediation is Free (small claims & landlord tenant)

WHY MEDIATE?



- Flexible & informal
- Voluntary
- Confidential
- Parties participate and make decisions
- Promotes quicker, more cost effective settlements
- Reduces stress through communication

The Santa Clara Superior Court supports and encourages you to use the Mediation process.

WHERE CAN I GET MORE INFORMATION?

- www.sccsuperiorcourt.org/civil/adr.htm
- (408) 882-2530 – ADR Coordinator
- (408) 370-4440 Option #6 – Small Claims Advisor
- (408) 792-2314 – Community Mediation Services
- (408) 720-9888 – Mediation Services (Project Sentinel)