

## HOW CAN I SETTLE MY SMALL CLAIMS CASE BEFORE IT GOES TO TRIAL?

### Take Control of the situation though Mediation!

#### Benefits of Mediation

- ✓ Mediation for Small Claims cases is free of charge.
- ✓ You make the decisions and control the outcome of your case
- ✓ Open to creative solutions
- ✓ Confidential
- ✓ Agreements reached are legally binding and enforceable
- ✓ May prevent an adverse public record which can impact your credit
- ✓ Happens at the same time as your court appearance or can be scheduled for a time convenient to you
- ✓ 3 out of 4 cases settle in mediation
- ✓ If you are unable to reach a settlement in mediation you may still return to court to have the judge decide your case

Before going to trial, the Court may require certification that you have watched the *Administrative Office of the Court's* video about Small Claims Court. The video can be found at <http://www.courts.ca.gov/20129.htm> (video #3). Or, access the video on your mobile device by scanning



## What is “mediation”?

Mediation is an effective dispute resolution process facilitated by a specially trained, independent and neutral party, or parties, called a mediator.

Mediators help parties work together to reach a mutually acceptable solution to their conflict. Many disagreements which lead to lawsuits can be the result of misunderstandings and incomplete information between the parties involved. There is only one set of facts but differing perceptions of those facts can lead to conflict.

Often the disagreements can be solved simply by listening and understanding the perspective of the other party and talking through the issues; mediators help parties communicate with one another in a productive manner.

Mediation allows you to talk about other issues that may not be directly related to the law but are important to you and how you feel about the dispute. Settlement agreements reached through mediation can be creative and “out of the box” unlike decisions handed by a judge that may be limited by law.

If you have questions about how you can benefit from mediating your Small Claims case, please give us a call!

*Call for information:*  
**805-349-8943 Santa Maria**  
**805-963-6765 Santa Barbara**  
[www.cscsb.org](http://www.cscsb.org)



**Conflict Solutions Center**  
**Community Mediation**  
a private nonprofit organization

*Building Community-One Peace at a Time*