

RESOLVE YOUR DISPUTE WITHOUT GOING TO COURT

MEDIATION IS - INEXPENSIVE, FAST AND EFFECTIVE!

WHAT IS MEDIATION?

Mediation is a private, voluntary process which allows parties to settle their own disputes with the assistance of a neutral, trained third party - a mediator.

WHY MEDIATE?

You agreed to mediate when you signed the California Residential Purchase Agreement and Joint Escrow Instructions. If you refuse to mediate, you may lose the right to attorney fees and costs if you prevail in the case.

IT'S INEXPENSIVE: The costs of mediation are less than the costs for cases brought to court or arbitration.

IT'S FAST: Most disputes can be resolved as soon as all parties are available.

IT'S EFFECTIVE: Studies have shown that more than 80% of all mediations end in agreement.

IT'S PRIVATE AND CONFIDENTIAL: The mediation process protects your interests and legal rights. In order to encourage the free exchange of information, all mediation sessions are confidential. The mediation will be held at a convenient location providing privacy for all involved.

YOU REMAIN IN CONTROL OF YOUR CASE: Mediation allows you to determine the outcome of your case. Once your case goes before a judge or arbitrator, you surrender total control of your case and the outcome is entirely in his/her hands.

YOU HAVE FREEDOM TO CREATE AN AGREEMENT THAT BEST SATISFIES YOUR NEEDS: In mediation, you and the other party work together, with the assistance of the mediator, to arrive at a mutually agreeable solution. You are able to be flexible as you explore options. You create a solution that meets your basic needs and is consistent with your sense of fairness.

YOU MAY STILL HAVE YOUR DAY IN COURT: If you are unable to reach an agreement through the mediation process, you may still have your case heard and decided by a judge or arbitrator. Therefore, you have nothing to lose and much to gain by attempting to resolve your dispute through mediation.

RIGHT TO REPRESENTATION BY AN ATTORNEY: You have the right to be represented by an attorney of your choice, but an attorney is not required.

WHAT IS THE ROLE OF THE MEDIATOR?

A mediator is an impartial third party who has been trained to help people resolve their disputes. The mediator helps to bring about communication between you and the other party in a neutral setting. The mediator acts as a catalyst, helping you identify issues, explore alternative solutions, negotiate, and draft a final settlement agreement. The mediator does not act as a judge, give legal advice or make personal judgements.

WHAT IS YOUR ROLE IN THE MEDIATION?

With help from the mediator, you and the other party will fully discuss the issues and work towards your own resolution. Therefore, you are able to reach an agreement that resolves the dispute and satisfies your objectives.

WHAT TYPES OF CASES ARE SUITABLE FOR MEDIATION?

Any real estate dispute may be resolved through mediation, as long as the parties are willing to communicate and listen to one another. It may be more economical to have disputes less than \$7,500 settled in Small Claims Court.