

18th DISTRICT COURT MEDIATION PROGRAM

SMALL CLAIMS

The 18th District Court has adopted a Mediation Program for Small Claims cases. The attached notice of hearing sets forth the date and time for you to appear in Court. Prior to appearing before the Judge, you are scheduled to discuss your case with a mediator. Mediation is an effective method of resolving disputes that provides parties with the opportunity to reach mutually-satisfactory agreements in a non-adversarial manner.

Please read the following information about the 18th District Court's Mediation Program, including a description process, a procedural overview and a summary of your procedural options.



What is Mediation?

The Michigan Court Rules define “mediation” as a process in which a neutral third party (mediator) facilitates communication between parties, assists in identifying issues, and helps to explore solutions to promote a mutually-acceptable settlement. Unlike litigation, where one party “wins” and one “loses”, mediation helps parties reach their own mutually-satisfactory resolution in a non-adversarial manner.



Benefits of Mediation

The decision-making process belongs to you. You decide how to best resolve your dispute; unlike going to court, no one judges your problem and tells you what to do.

It works. Thousands of cases have been successfully mediated to all parties' satisfaction. Mediation is a “win/win” rather than a “win/lose” solution.

It's effective. About 80% of all mediated cases end in agreement. In fact, the likelihood of settling a dispute to both parties' satisfaction through mediation is much higher than in small claims court. Mediation also reduces the likelihood that the problem will occur again.



Who Will Mediate My Case?

The 18th District Court has a referral agreement with the Wayne Mediation Center to conduct mediation. There is no charge to the parties for Small Claims mediation conducted by the Center. The Wayne Mediation Center is a Community Dispute Resolution Program funded in part by the State of Michigan.

All mediators used by the Center meet or exceed the qualifications required under the Michigan Court Rules. Small claims mediators have completed a 40 hour training program approved by the State Court Administrative Office and either are attorneys or have a graduate degree in conflict resolution or have 40 hours of mediation experience over a two-year period.



What Happens at Mediation?

When you appear at the Court on the date scheduled for hearing, the mediator will review the case with you. Both sides will have an opportunity to discuss their views about the case. The mediator will assist in negotiations to find a solution that satisfies the needs of all parties. Mediators may speak with each party privately to explore alternatives, if it is reasonable or necessary.

Mediation is confidential and mediators can neither be called as witnesses nor have their records subpoenaed if the case is not resolved at mediation.

Parties appearing on this date must have authority to settle the case. If the parties agree to a settlement, the mediator will write the terms of the settlement on a judgment form and ask both sides to sign it. The judge will review the judgment and sign it, thereby making the agreement binding upon both parties.

If both sides do not agree to a settlement, the case will proceed to trial and be scheduled for the next available date before the judge.

PLEASE NOTE:

If the Plaintiff fails to appear for mediation, the case may be dismissed.

If the Defendant fails to appear, a default judgment may be entered against the defendant.

**If you have any questions about the 18th District Court Mediation Program,
please contact the Civil Division at 734-595-8720**