

Superior Court of California County of Santa Clara

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March 20, 2008



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FOR IMMEDIATE RELEASE – MARCH 20, 2008 **SUPERIOR COURT JOINS IN CELEBRATION OF MEDIATION WEEK, MARCH 16 - 22**

The Superior Court of California, County of Santa Clara is pleased to join with other California superior courts and other organizations to recognize the important role that mediation plays in helping to resolve disputes while avoiding the time and expense of a court trial. The Judicial Council of California has adopted a resolution declaring March 16 – 22 as Mediation Week, “...to recognize and honor the individuals and programs that provide mediation, encourage the courts to publicly share information about their programs and to highlight the benefits mediation has on litigants, the courts and the public.”

In mediation, a neutral person helps the parties involved in a dispute discuss the issues and try to agree on a resolution. In Santa Clara County the Superior Court utilizes mediation to assist in the resolution of a wide variety of cases, most notably in the areas of Civil, Family Law and Juvenile Dependency.

For Civil cases, the Court utilizes a very active Alternative Dispute Resolution (ADR) Program as an alternative to costly litigation. This program has grown steadily since its inception in 1998. The Court refers between 900 and 1,300 cases annually to mediation. The estimated savings is five court days per case that is resolved through mediation. The California Code of Civil Procedure (Section 1775f) estimates that the minimum monetary saving per court day is \$3,943. It has been conservatively estimated that the equivalent of over \$3,000,000 in court resources is saved each year as a result of the effective mediation.

For Small Claims litigants, there are new options for mediation and early settlement resulting from the Court’s partnership with the Santa Clara County Dispute Resolution & Ombuds Program (DRP). Small Claims court receives approximately 6,400 new filings per year, or an average of 533 filings per month. A new Small Claims day-of-court mediation program was implemented in 2006. Mediators from DRP mediate cases at the beginning of the small claims calendars, and the judicial officers only hear the cases that do not settle. Under this program, approximately 65% of the cases that choose to mediate are settled and dismissed without further judicial intervention. For more information on civil/small claims mediation and the ADR Program, including a list of court-approved ADR providers, please visit the Court’s website at <http://www.sccsuperiorcourt.org/civil/adr.htm>.

The Court also utilizes the services of mediators to help resolve Family Law cases involving difficult and complex issues such as marital dissolution, child support, child custody, property, and domestic violence, among others. According to Lilly Grenz, the Court’s Director of Family Court Services (FCS), “...one of

the biggest changes in Family Law in the past two and a half decades has been the recognition that the adversarial system makes things worse for most separating couples, parents and their children. Alternative ways of resolving disputes grew out of this awareness with mediation becoming the primary method of resolving disputes about property and children.” Ms. Grenz reports that FCS assists nearly 5,000 parents each year, and that 60 to 70 percent of these parents are able to reach agreement on child-related issues through confidential mediation. Juvenile Dependency Mediation actively includes parents in making the decisions that affect them and their children. This problem-solving forum focuses on developing plans that are in the best interest of children, emphasizing family preservation and strengthening. Almost 80 % of the cases in our Court result in a complete settlement and between 85-90% result in a partial settlement. Please visit the Court’s website at <http://sccsuperiorcourt.org/ADR/default.htm> for more information about the Family Law mediation process, including a list of court-approved Family ADR providers.

For additional information on mediation and Mediation Week, visit the California Courts website at <http://www.courtinfo.ca.gov/programs/adr/events.htm>.