



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF STANISLAUS**

NOTICE OF MEDIATION OPTIONS

The Superior Court of California, County of Stanislaus – Small Claims Division provides two different methods of alternative dispute resolution to Small Claims litigants – online dispute resolution (ODR) and mediation. Participation in ODR is mandatory; while participation in mediation is voluntary.

There is **no charge** for participating in ODR or mediation.

Online Dispute Resolution (ODR) - MANDATORY:

Beginning July 1, 2021, and thereafter, each Plaintiff and each Defendant involved in a Small Claims case **must** register for MODRIA - the Court's ODR program.

Plaintiff(s) **must** register for ODR within five (5) days of filing a claim, and Defendant(s) must register for ODR within five (5) days of being served with a claim and this notice.

What is ODR?

ODR – or “online dispute resolution” - helps parties reach agreements to settle their Small Claims case online, using a computer, smart phone or other connected device. There are no phone calls or in person meetings.

The use of ODR allows the parties more time to discuss options and resolutions candidly and privately - online. In a trial, there is typically a winner and a loser. The loser is not likely to be happy, and even the winner may not be completely satisfied with the outcome. Parties who resolve their dispute through the ODR process have more control over the terms of the resolution than when a judge is involved.

The Court's local rules require that each party participate in good faith in the ODR process.

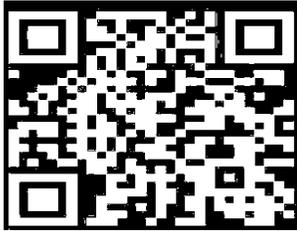
Are there deadlines for participation in ODR?

The deadline for reaching a settlement in your Small Claims case through ODR is two (2) days before the trial date. If you are able to reach a settlement through ODR within that time, the ODR system will help you electronically file the required forms with the Court (at no charge to you) and you will not have to attend your trial.

If you are not able to reach a settlement in your Small Claims case before the ODR deadline, all parties in the case must attend the trial.

How do I register for ODR?

Registration for MODRIA, the Court's ODR system, is available at <https://stanislauscasc.modria.com>. In order to register, you will need your Case Number and the “Plaintiff's Claim and Order to Go to Small Claims Court” (Form SC-100).



Ready to get started?
Visit
stanislauscasc.modria.com

Mediation - VOLUNTARY:

While participation in the Court's mediation program is not required, the Court strongly encourages parties to participate in mediation if they are unable to resolve their case through the ODR process.

What is mediation?

In mediation, a neutral and impartial person called a "mediator" helps both sides communicate and try to reach a solution to their dispute that is acceptable to both of them. The mediator does not make any decisions about the dispute. He or she just helps both sides talk through the issues so they can settle the dispute themselves. Mediation leaves the control of the outcome to the parties in the case.

When can I go to mediation?

- Mediation is available to try **before your court date** and it is *strongly urged* that you do so, because if your case is resolved prior to the court date, you may be able to avoid having to appear in court all together.
- Mediation is also available on the **day of your trial**.

If you choose to try mediation *before* your trial, you can contact the Court's mediation services provider:

Stanislaus County Mediation Center (A program of Project Sentinel, Inc.)
(209) 236-1577 or visit www.stanislausmediation.org

Mediation proceedings are confidential and conducted in private. Mediations conducted prior to your hearing or trial can be conveniently scheduled at any time during the day, some early evenings, and on limited weekends.

How does mediation work on the day of the trial?

In person mediation services are also available on site at the Stanislaus Courthouse on the day of your trial. Both the plaintiff(s) and the defendant(s) must agree to participate in the process. A mediator from the program will meet with the parties involved in the case.

If your case is resolved through mediation on the day of your trial, all of the parties will sign a document that outlines the terms of the agreement. If you are not able to resolve your case through mediation on the day of trial, you will go back into the courtroom and a judicial officer will hear your case. Mediation will not delay your opportunity for a trial. The Court, of course, hopes that the mediation will resolve the dispute and eliminate the need for court action.

What are the benefits of mediation?

Mediation give the parties more control over the case and the outcome. The parties are able to participate more actively in creating a workable solution than if you go to court and leave the decision up to a judge. Also, you can create solutions that go beyond what the court can do but that address your situation and your dispute better.