



Superior Court of Santa Cruz County, in Partnership with Conflict Resolution Center of Santa Cruz County, Expands Mediation Services to Promote Better Community Dispute Resolution and Reduce Small Claims Cases

Santa Cruz, CA -- Oct. 2, 2007 -- To relieve the over-burdened small claims court and promote better outcomes for county residents embroiled in disputes, the Superior Court of Santa Cruz County is expanding its small claims mediation program. Mediation services are provided by the Conflict Resolution Center of Santa Cruz County (CRC), a non-profit organization that has had a successful partnership with the Superior Court of Santa Cruz County since 1994. The expanded mediation program is made possible by a grant from the State Administrative Office of the Court and is one of three pilot programs awarded in California.

"We would be drowning in small claims cases without the Conflict Resolution Center," said Commissioner Kim Baskett, who hears small claims cases for Santa Cruz County residents. "CRC plays a very important role defusing conflicts and promoting harmony in our communities." Since 1994, CRC's trained volunteer mediators have mediated more than 2,500 cases, with a success rate of 85%. During the past year, approximately two-thirds of all small claims cases, or 163 cases, were mediated.

Until now, mediation through the court has only been offered on-site to litigants after they file, when they appear in small claims court. Hearings are conducted only one day a week. The overall goal of the expanded services is to help more county residents achieve satisfactory resolutions to their disputes and preclude the need to file a claim in small claims court.

Expanded Services

Services will include outreach, education and more flexible delivery in Santa Cruz and Watsonville as follows:

- CRC will conduct outreach that educates people about the benefits and the availability of mediation as a means to resolve disputes. CRC will also distribute literature at many community service organizations throughout the county.
- Information and mediation services will be offered in English and Spanish.
- Mediation services will be offered at the new court house in Watsonville which is scheduled to open in November, 2007. (Mediation may be available as early as January, 2008).
- Mediation will be available at more convenient times, including evenings and weekends.
- Mediation will be offered to people who don't have an attorney to represent them in limited civil cases (cases under \$20,000) as well as small claims (cases under \$7,500).

Benefits of Mediation

"Mediation is very effective at resolving many different types of common conflicts that arise in the community, such as disputes over property damage, services provided, landlord-tenant or homeowner association issues," said Nancy Heischman, CRC's executive director. "Mediation has several advantages over going to court, which can be time consuming, disappointing, and expensive if collections are involved. Surveys have shown that most people are more satisfied with a mediated resolution and that is in large part because they develop a workable solution themselves."

Sasha Morgan is the new self-help manager at the Superior Court of Santa Cruz County. She was hired in June to bring all of the services for self-represented litigants (people without an attorney to represent them) under one umbrella. Her office will be re-located from the Santa Cruz Superior Court to the new courthouse in Watsonville. "By the time people file for court, they have lost their ability to communicate with each other, and they are frustrated and angry. Many people are simply looking for recognition of their feelings or an apology. The mediators facilitate a dialogue whereby each party feels heard and gets their emotional needs met."

Commissioner Baskett said, "People have very unrealistic expectations about what happens in small claims court from watching TV. Litigants don't realize that they have to leave their emotions outside the court room, and that they can't argue or present opinions. They must give me just the facts." According to Baskett, another constraint of small claims court is that the court cannot enforce payment if there is a collection involved. "Mediation shows people that problems can be resolved best through communication. I often refer litigants to the CRC after a ruling in traffic court to help them work out the resolution they need so they won't have to return to court."

Roy Blaine, the CFO of the Superior Court of Santa Cruz County, expects to see a significant drop in the number of small claims court cases filed as a result of the expanded mediation program. He also would like to see more of the cases that do get filed go the mediation route. "More mediated resolutions is a win-win situation, saving time and money for citizens and the court. This will free up time for those cases that do end up in court," he said.

Community members interested in mediation can call the CRC at 831-475-6117 or e-mail info@crsantacruz.org.

CRC Offers Community and Workplace Mediation and Training

The Conflict Resolution Center of Santa Cruz County is a nonprofit, public benefit organization that has helped thousands of Santa Cruz County residents, businesses, and organizations find satisfying solutions to difficult problems. Whether people are experiencing conflict in their neighborhood, home, or workplace, CRC can help. In addition to providing community mediation, CRC offers workplace mediation and training as well as monthly workshops on communication and conflict resolution skills. For more information visit <http://www.crsantacruz.org>.

Two Recent Cases Resolved through Mediation Provided by the Conflict Resolution Center of Santa Cruz County

Mediation Patches up Broken Sewer Pipe Dispute

A dispute over a broken sewer pipe that the city of Santa Cruz refused to fix due to lack of funds brought the Stagnaros and the Wolfsens to the mediation table. "We live below the Wolfsens, and when our common sewer pipe broke, raw sewage overflowed onto the sidewalk and onto our property, only 10 to 15 feet or so from our house," said Virginia Stagnaro. The Stagnaros talked with their neighbors, Larry and Diane Wolfesen, who said that they wanted to have a say in how the problem was resolved. "But the Wolfsens were leaving for two weeks and we couldn't wait to get the problem fixed, so we got bids from three plumbers and went with the lowest one," explained Stagnaro. "When the Wolfsens returned, Larry said they wouldn't split the \$6,000 bill because he didn't authorize it. So we filed in small claims court," said Stagnaro.

Larry Wolfesen said, "I liked the idea of mediation because I thought the dispute could be resolved without using court time." The Stagnaros appreciated that they didn't have to wait around in court and felt more comfortable in the more intimate mediation room. Virginia suffers from sciatica and her husband Ernie is hard of hearing.

The mediation provided the opportunity for both couples to give their point of view and work out a resolution they could live with. "I enjoyed the process," said Stagnaro. "The mediator was a very professional, fair and empathetic person." Ultimately, the Stagnaros agreed to pay \$3,400 and the

Wolfsens agreed to \$2600. In addition, how future problems would be resolved was spelled out in a written statement which all parties signed.

Wolfsen was satisfied with the outcome. He said, "Money was not the main issue. The thing I was most interested in was to avoid this kind of thing in the future. And we did come up an agreement on how it would be handled. So for me, that was a major victory."

Teacher and Principal Learn about Each Other from Mediation

Kerry Gobei sought mediation to get a \$600 tuition registration fee refunded returned from an area school. "I had a positive experience with mediation in the past during a divorce, so I chose mediation over small claims court," she said. "I knew that if I went to court I would win and the school would lose, because I never signed a contract stating that the registration was non-refundable," said Gobei. "But I wasn't looking for that kind of win. A court ruling wasn't going to give me what I really wanted - a chance to really understand where the principal was coming from, to get her to understand why I felt entitled to receive the refund and that I wasn't being dishonest, and for her to accept some responsibility in the matter. I was very satisfied with the understanding that we reached and I volunteered to get back only half of the \$600, and we each paid \$47 for the cost of the court filing fees. I felt great about it, and walked away with a real sense of closure. This could have only happened with mediation," she added.

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