

IN THE COUNTY COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

If an attorney represents either party, or a bank or finance company filed the case, the parties will be offered mediation as an alternative to trial.

When the parties appear at a scheduled Pre-Trial Conference, they will be given an opportunity to elect to have the case mediated. All parties involved in a case must request mediation. If all parties request mediation, the case will be referred to a mediator at the Pre-Trial Conference. If you plan to request mediation, be prepared to present any information that will support your side of the suit, including any witnesses who will voluntarily appear with you at the Pre-Trial Conference. (Note: Witnesses may only be subpoenaed when the case is tried by an assigned judge.)

If neither party is represented by an attorney and the case was not filed by a bank or finance company, the case will be set for mediation on the date and time noted on your summons/notice to appear.

A mediation of the claim will be conducted at the time and place shown on your summons pursuant to Chapter 44 F.S. You may bring any documents and/or witnesses that might aid in the resolution of this dispute. A person appearing on behalf of a party must have signed written authority to appear and settle the case without further consultation.

If one or all parties decline mediation (if applicable) or if the case cannot be resolved through mediation, additional information will be requested from the parties to enable the Clerk of the Court to set the case for trial before a judge. You will be notified by mail of the time and date of the hearing.

WHAT IS MEDIATION? Mediation is a process in which the parties meet together in a non-courtroom setting with a professionally trained voluntary mediator. The mediator will impartially assist the plaintiff(s) and defendant(s) in reaching an agreement of mutual benefit and satisfaction to resolve the suit. Mediated settlements eliminate the uncertainty of a Judge's decision and allows the parties more control over the outcome of their case.

If an agreement is reached during the mediation process, a written form will be prepared by the mediator at the conclusion of the mediation, setting forth the parties' mutual understanding. All parties will sign the agreement form. The agreement will then be signed by the mediator who will submit it to the court for filing. The agreement becomes binding upon filing.

THE ADVANTAGES OF MEDIATION: Mediation allows each party to discuss his or her case in the privacy of a conference room outside a formal courtroom setting. A trained mediator will assist the parties in seeking settlement of the issues in a manner beneficial to both parties. Mediation can save you both time and money. A successfully mediated case means that you will not have to return to court at a later date for trial. Mediation can also, save to costs to both sides associated with collection proceedings.