



# CLEVELAND MUNICIPAL COURT

## HOUSING DIVISION

### JUDGE RONALD J. H. O'LEARY

## Frequently Asked Questions: *Mediation*

### 1. Why has the Cleveland Housing Court set up a mediation program?

To give you a chance to work out a settlement of your dispute without a court hearing.

### 2. What happens in mediation?

A mediator gives you and the other party a chance to tell your side of the story, and then helps you work out a settlement that is acceptable to both parties.

### 3. What is a settlement?

That is up to you. A settlement is whatever both parties agree to in order to resolve their dispute. Both parties sign a settlement agreement that states what they will do.

### 4. What if we can't agree on a settlement?

The mediator will discuss with you and the other party what other options you have for solving the problem. If a case has been filed, then the dispute will be sent back to court for a hearing.

### 5. Who can attend the mediation?

Both parties must attend the mediation. You may have a friend or lawyer present to assist you. However, only the parties involved in the dispute can talk and make a settlement.

### 6. Do I need a lawyer?

No. You may have your lawyer attend if you would like. However, court procedures are not followed during mediation. The mediator does not find a solution, but the parties do.

### 7. What should I bring to the mediation?

If the dispute concerns a provision of the lease, the payment of rent, or conditions of the unit, you should bring a copy of the document, any bills or receipts relating to the dispute, photos or any relevant documents. You should not bring any witnesses.

### 8. Will what I say in the mediation be used against me in Court?

No. Whatever you say during the course of mediation is confidential and may not be used in court. However, the mediator is not bound by confidentiality on the issue of child abuse, elder abuse and/or admission of a crime.

### 9. How do I schedule a mediation to resolve a housing dispute?

Contact the Mediation Coordinator at 664-6104 or see a Housing Court Specialist on the 13th floor of the Justice Center. For more information on housing issues, contact the Court at 664-4295.

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