

Any court process, even small claims court, can be daunting to the average individual. An alternative option for resolving your dispute is called mediation.

What is Mediation

In mediation, you and the other side meet with a neutral third person, called a mediator, who is specially trained to help the parties communicate more effectively and find mutually acceptable agreements to resolve their disputes.

Mediation is a communication and negotiation process that is designed to help parties identify the relevant issues, examine different perspectives of the conflict, and explore possible options for conflict resolution. The mediator facilitates communication between the disputants. The parties then have an opportunity to assist in creating solutions and designing a compromise that is mutually beneficial to all involved parties.



Mediation is more flexible and less formal than a trial. Mediation fosters creative problem-solving and innovative solutions while a judge must base his/her decision on the law. The mediator is provided at no cost to you. Yet, if the mediation is successful, you have saved time, money and frustration.

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Small Claims Mediation Program

*Established in Partnership with
The Lake County Bar Association*



Nineteenth Judicial Circuit
Lake County, Illinois

NINETEENTH JUDICIAL CIRCUIT

Small Claims Mediation Program

Who are the Mediators

All mediators involved in the small claims program are members of the Lake County Bar Association who have been professionally trained to help people talk about their disputes and find reasonable ways to resolve conflict. Mediators do not give legal advice, do not determine fault, and will not force a settlement.



What are the Benefits of Mediation

In mediation, everyone works together to find a solution that works best for all parties involved. Litigants take an active part in problem-solving and are able to maintain some control over the final solution.

Mediation is a confidential and private process, so what is said during a mediation cannot be brought up against you later in court.

In a mediation you are given time to discuss your situation, your perspective of the problem, your feelings regarding the dispute, and issues that are important to you, even if those issues are not directly related to the law.

Benefits

A mediator can help the parties communicate in an effective and cooperative way.

A mediator can include unconventional solutions, such as a chance to fix the problem, bartering, property return, or an apology.

An agreement is more likely to be honored when the parties are able to participate in designing the terms of the settlement.

What Happens After the Mediation

At the completion of the mediation the mediator will complete the necessary paperwork. You can have one of three results.

1. **Agreement:** You were successful at resolving your dispute through mediation. The mediator will complete an agreement form that all parties will sign. The agreement will be entered by the judge as an order and will become part of the official court file.



Possible Results

2. **Partial Agreement:** You were successful in resolving some, but not all, of the issues in dispute through mediation. The mediator will complete a partial agreement form delineating the issues that are in agreement, which the agreeing parties will sign. The mediator will also prepare an order for the judge requesting a trial date be set to resolve the remaining issues.
3. **No Agreement:** The mediation was not successful and the parties were not able to resolve their dispute through mediation. The mediator will complete a no agreement form and will complete an order that requests a trial date.



The mediator and the parties will return to the courtroom where the documents will be filed with the small claims circuit clerk. If the mediation resulted in a partial agreement or no agreement, the parties will wait for their case to be recalled. The judge will then set the case for trial.