

RESOLVING YOUR CASE THROUGH MEDIATION IN CIVIL COURT OF THE CITY OF NEW YORK

What is mediation?

Mediation is a free, voluntary and confidential service that helps people who have a dispute to reach their own settlement. Instead of asking a judge to make a decision in court, the people meet with a trained mediator who helps them make their own decision on how to settle the dispute. If a settlement is reached, it is then put in writing and signed. This written settlement then becomes a legal contract that the court can enforce. If the people in the dispute are not able to reach an agreement that is acceptable to everyone involved, they are then free to ask a judge to hear their case and make a decision in court.

Who sponsors mediation services?

Mediation services are sponsored by Civil Court of the City of New York and provided by approved Community Dispute Resolution Centers and local law school mediation programs.

What kinds of disputes can be handled through mediation?

Most non-violent disputes can be mediated. This includes, but is not limited to, money and non-money disputes between neighbors, family members, landlords and tenants, customers and businesses, and roommates. Disputes involving community groups and organizations can also be addressed through mediation.

Mediation services are available to people who are involved in disputes that could otherwise be heard and decided in Civil Court of the City of New York by a judge or arbitrator. This includes small claims, civil claims and some landlord-tenant disputes.

However, both sides must agree to mediation and, in certain cases, at least one side must be handling the dispute without a lawyer. The Court will let you know if the case is eligible for mediation.

For more information, contact Eddy Valdez, Mediation Services Coordinator, at mediationcivil@courts.state.ny.us or 646-386-5417.

Why should I consider mediation?

- **Mediation is free.** There are no filing or session fees.
- **Mediation is convenient.** Day and evening sessions are available at convenient locations.
- **Mediation is fast.** Sessions are scheduled quickly. A settlement can often be reached in one 1-2 hour session.
- **Mediation is voluntary.** You do not lose any rights by trying to resolve your dispute through mediation before taking your case to court. If a settlement cannot be reached through mediation that is satisfactory to all people involved in the dispute, you are free to pursue your case in court.

- **Mediation is confidential.** Only written settlements are kept on file. All conversations during mediation sessions are confidential. Mediators cannot be ordered to testify in court regarding the case. All notes taken by the mediator are destroyed at the end of the process.
- **Mediation is satisfying.** Mediation allows people to vent and be heard. It allows people to better understand each other.
- **Mediation works.** People who reach their own settlement through mediation are more likely to comply or follow through with the settlement.

Who are the mediators?

The mediators are experienced volunteers who have received special training in civil court dispute resolution. Some have legal training as well. Although mediators might be lawyers or law students, they cannot give legal advice, or tell you what to do. They may suggest that you visit the court's Resource Center, where people who are not represented by a lawyer can get legal information, general guidance, and referrals from court staff.

Where do mediation sessions take place?

Mediation sessions are held in court or at a local Community Dispute Resolution Center, depending on the borough and how a case is referred to mediation.

What evidence should I bring?

You should try to bring all related documents, photographs, estimates, repair bills or other items that might be helpful in resolving your dispute.

Do I need a lawyer or witnesses?

No. You do not need to have a lawyer or witnesses present in a mediation. Parties are encouraged to speak for themselves and to come up with their own solutions. However, although lawyers are not necessary, they are welcome to participate in the mediation and to help with problem solving.

Is mediation a substitute for seeking legal information or advice?

No. It is strongly recommended that you consult with a lawyer if you need legal information or advice.

New York City Civil Court has Help Centers in each borough to provide people with free legal information and referrals on a walk-in basis only. No appointment is necessary. But staff are busy so be prepared to wait.

It is important to understand that in most cases Help Center staff can only give you information and referrals, not advice. If you need legal advice, but you cannot afford an attorney, the Help Center staff can refer you to outside organizations that can give you free or low cost advice.

It is also strongly recommended that you visit our website before you come to one of our Help Centers. This will help to make sure that you are fully prepared for your visit. The website address is <http://www.nycourts.gov/courts/nyc/civil/helpcenter.shtml>

Where are the Help Center Centers located and what are the hours of operation?

The following are the addresses and days/hours of operation for each of our Resource Centers.

Bronx/Bronx County

Bronx County Housing Court
1118 Grand Concourse, Room 250
Bronx, NY 10456

Days/Hours: Monday, Tuesday, Wednesday, Friday, 9:30 A.M. until 5:00 P.M., Thursday, 9:30 A.M. until 7:00 P.M.

Brooklyn/Kings County

County Housing Court
141 Livingston Street, Room 404
Brooklyn, NY 11201

Days/Hours: Monday, Tuesday, Friday, 9:30 A.M. until 5:00 P.M., Wednesday, 8 A.M. until 5:00 P.M., Thursday, 9:30 A.M. until 7:00 P.M.

Manhattan/New York County

Harlem Community Justice Center
170 E. 121st Street, Room 104
New York, NY 10035

Days/Hours: Mondays and Thursdays, 9:00 A.M. until 5:00 P.M., but staff is available on other days to provide information to the public.

New York County Housing Court
111 Centre Street, Room 104
New York, NY 10013

Days/Hours: Monday, Tuesday, Wednesday, Friday, 9:30 until 5:00 P.M., Thursdays, 9:30 A.M. until 7:00 P.M.

Queens/Queens County

Queens County Housing Court
89-17 Sutphin Boulevard, Room 235
Jamaica, NY 11435

Days/Hours: Mondays 9:30 A.M. until 7:00 P.M. (Every 2nd and 4th Monday of the Month), Tuesday, Wednesday, Friday, 9:30 A.M. until 5:00 P.M. Thursday, 9:30 until 7:00 P.M.

Staten Island/Richmond County

Richmond County Housing Court
927 Castleton Avenue
Staten Island, NY 10310

Days/Hours: Wednesdays and Thursdays from 9:30 A.M. until 5:00 P.M.

Assistance with Civil and Small Claims cases is available on a limited basis in all Civil Courthouses except Harlem. Hours vary.

What if I have a legal question or I decide I want legal advice during a mediation session?

Tell the mediator immediately. The mediator will either pause or reschedule the mediation session, depending on how quickly you can get the information or advice you seek. If the mediation session is being held in court, the mediator will attempt to arrange for you to immediately consult a free court attorney and, if appropriate, restart the mediation session.

Do I lose my right to a trial if I go to mediation?

No. If you do not reach an agreement in mediation, you DO NOT lose your right to have your case heard by a judge in New York City Civil Court.

How can I try to resolve my dispute through mediation before my case is heard by a judge in Civil Court of the City of New York?

If you are planning to sue someone or you are being sued by someone in Civil Court of the City of New York, but you want to first try to resolve your dispute through mediation, call your local Community Dispute Resolution Center or contact Eddy Valdez, Mediation Services Coordinator, at mediationcivil@courts.state.ny.us or 646-386-5417.

The following Community Dispute Resolution Centers offer mediation services in New York City:

Bronx/Bronx County

Institute for Mediation and Conflict Resolution
384 East 149th Street, Suite 330
Bronx, New York 10455
(718) 585-1190

Brooklyn/Kings County

New York Peace Institute (Safe Horizon)
Brooklyn Mediation Center
210 Joralemon Street, Room 618
Brooklyn, New York 11201
(718) 834-6671

Manhattan/New York County

New York Peace Institute (Safe Horizon)
Manhattan Mediation Center
111 John Street, Suite 600
New York, New York 10013
212-577-1740

Queens/Queens County

Community Mediation Services
89-64163rd Street
Jamaica, New York 11432
(718) 523-6868

Staten Island/Richmond County

New York Center for Interpersonal Development
130 Stuyvesant Place, 5th Floor
Staten Island, New York 10301
(718) 815-4557

How can I try to resolve my dispute through mediation if my case is already scheduled to be heard by a judge today or in the next few days?

Whether you are the plaintiff or defendant, if your case is scheduled to be heard by a judge today or in the next few days, but you are still interested in trying to resolve your dispute through mediation, inform the Clerk in person in the courtroom in which your case is scheduled to be heard. The Clerk will make every effort to refer your case to mediation, if both sides want to try mediation, the case is appropriate for mediation and mediation services are available.

For more information, contact Eddy Valdez, Mediation Services Coordinator for New York City Civil Court, at mediationcivil@courts.state.ny.us or 646-386-5417

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