

**Foreclosure Mediation Program
ADR Department
1200 Ontario Street
Justice Center, 4th Floor
Cleveland, Ohio 44113**

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Goal Of Mediation:

To mediate cases in a timely and cost efficient manner in order to minimize case processing time, save costs and expenses to the parties by working out new mortgage terms or other agreements mutually acceptable to the parties, and to prevent adverse social consequences of vacated and abandoned houses in the community.

Overview of Foreclosure Mediation Program:

The Foreclosure Mediation Program was introduced in Cuyahoga County on June 24, 2008. The Court's Foreclosure Committee and Foreclosure Mediation Sub-committee, both led by Judge Eileen T. Gallagher, developed the Program in collaboration with the legal and foreclosure-prevention communities. The Program is directed by Andrea Kinast.

How to Request Mediation of Your Foreclosure Case:

When a Foreclosure action is filed against you, you will receive a Summons and Complaint from the Court in the mail. Make sure to open your mail. Inside you will find information about legal assistance, financial counseling, and a Request for Mediation Form. Complete the Request for Mediation form and return it to the Court at the address listed on the Request. You may fax, mail or hand-deliver your Request to the Mediation Department.

If your case is currently pending, you may file a motion to request mediation or attend a hearing and ask the Magistrate to refer your case to mediation. In addition, the Magistrate handling the file may directly refer the case to mediation.

Review of request for mediation:

- The Foreclosure Mediator will review your Request.
- Interested in keeping your property - If your monthly income meets or exceeds your monthly expenses, you may be eligible for mediation.
- Not interested in keeping your property - You may still be eligible for mediation even if your monthly income does not meet your monthly expenses.

If your request for mediation is denied:

- Your case will be returned to the Foreclosure Docket for further proceedings.
- Should your financial circumstances change in the future you may request the magistrate to make a referral to mediation at that time.
- You may also complete a new Request for Mediation.

Pre-Mediation Conference:

If your case is accepted into the Mediation Program, a Pre-Mediation Conference (PMC) will be set. At the PMC you will be given a questionnaire to fill out and return within 14 days to the Court. Failure to attend the PMC or to fill out the questionnaire will result in the case being returned to the Foreclosure Docket.

Mediation:

After returning your questionnaire and supporting documents, a Mediation will be set. At the Mediation, a representative from the Plaintiff/Lender with full settlement authority will be present. Your attendance at the Mediation is required.

If the case settles at Mediation, the appropriate paperwork to dispose of the case will be filed. If the case does not settle, the file will be returned to the Foreclosure Docket for further proceedings.

Educational Materials:

To order brochures or Requests for Mediation for your organization for community distribution, or to request a presentation on the Foreclosure Mediation Program in your community, please call 216-443-8504, and ask to speak to Program Director, Andrea Kinast.

Information:

Volunteer Mediators
Pro-Bono Attorneys

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