

The Mediation Program at the Municipal Court of Philadelphia is a Court-sponsored alternative program at Housing Court set up to assist landlords and tenants in resolving their dispute. At the request of both parties, mediation can be scheduled prior to or on the day of the Court hearing.

What is Mediation?

Mediation is a process which enables two disputing parties to come up with a solution to their problem.

A mediator is present as a third party to:

- guide the discussion;
- clarify legal questions; and
- occasionally generate options for the parties to consider in their search for a solution. These could include: developing a repayment schedule, setting up a timetable for tenant's departure from the premises or landlord's repair of property, determining guidelines for an improved relationship.

Who are the Mediators?

The mediators are VOLUNTEERS who have been trained in Landlord/Tenant law and the mediation process. They have a background in law and/or human services.

How can I get a Mediator?

PRIOR TO COURT ...

When filing the complaint in Room 500, 34 South 11th Street, the plaintiff can request mediation prior to the Court hearing date.

Because both parties must agree to mediation, the other party (defendant) will be notified of the plaintiff's willingness to mediate and will be offered a tentatively scheduled mediation appointment.

If the defendant also wants mediation prior to the Court date, the appointment will be verified by phone.

ON THE DAY OF COURT HEARING ...

At the preliminary calling of the Housing Court list at 9:00 a.m., Courtroom 4-B, 34 South 11th Street, the Trial Commissioner will explain to all parties that there are three options available to them:

- to work out an agreement unassisted;
- to work out an agreement with the aid of a mediator; or
- to have their case heard before a judge.

If both parties want a mediator, one will be assigned to the case.

Is Mediation binding?

If you are satisfied with your mediated agreement, and if you sign it, it is as binding as if you had gone before the judge.

Mediated agreements CANNOT be appealed.

What happens if either party is not satisfied with the Mediated Agreement?

An agreement is created by and for the parties. If either side is not satisfied with the agreement, the case will be heard by the judge.

If the mediation occurred prior to the Court date, and if the mediation had not been successful, the Court date previously scheduled will remain in effect.

If the mediation takes place on the scheduled Court date and, once attempted, it has been unsuccessful, the case will be heard that day by a Municipal Court Judge or, upon agreement of the parties, can be continued to another day.

What are the advantages of Mediation?

- It is a win-win situation; no one loses.
- Mediators are trained to assist both sides throughout the agreement-making process and cannot impose a settlement.
- Mediation is an informal process and allows for more open communication than is possible during the more formal courtroom process.
- Mediation is less time consuming than a Court appearance.
- Mediation is as legally binding as if the judge had heard and decided the case.
- If mediation is tried and the parties are not satisfied, they can still have the case heard before the Judge.
- Once the case is over, upon request, the mediator will offer additional help to either or both parties through referral assistance.

Follow-up Assistance

Once mediation is completed, the mediators are available to assist either party in obtaining resources needed in order to live up to the agreement.

The Mediation Division has referral information available on:

- Emergency Shelters
- Neighborhood Housing Programs
- Emergency Fuel, Food, Etc.
- Counseling Agencies
- Services for the Elderly
- Loan and Grants Program for Home Repairs



The Municipal Court complies with the Americans With Disabilities Act, which requires that all court services and facilities be accessible to persons with disabilities on an equal basis to those without disabilities. If you have a disability, and require reasonable accommodations to file a claim, participate in a Municipal Court proceeding, or use any service provided by the Court, please call 686-7986. Requests for reasonable accommodations must be made at least three business days before any hearing, or within three business days after service (delivery) of the notice of hearing, whichever is later.

**To contact the Mediation Division, please call:
MU6-2973 MU6-2974**

The Philadelphia Municipal Court

HOUSING COURT



MEDIATION PROGRAM

*An Alternative Offered
to Landlords and Tenants
Prior to and/or on
the Day of Hearing*