



## Mediation program grows

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***74 cases mediated in 2009, the most since the program's inception in 2003***

A program designed to keep cases out of small claims court in Clay County is seeing growing success.



ANGIE ANAYA BORGEDALEN/Smithville Herald — *Clay County Judge Janet Sutton, center, is surrounded by staff from the Office of Dispute Resolution Services at an appreciation lunch Friday, May 21, at the James S. Rooney Justice Center in Liberty. Front row, from left, are Stephen Woodsmall, Sutton, Kristin Lawrence; back row, Director Kathleen Bird, Grenesha Upton, Rebecca Auriemma, Theresa Hupp, Edwin Taetsch and Dawn Kuhlman. Not pictured is Phil LaVota.*

The Small Claims Mediation Program developed by the 7th Circuit Office of Dispute Resolution Services is a way to bring feuding parties together with a trained volunteer mediator rather than taking the case to a judge. Benefits of the program include more resolution options and lower costs to taxpayers by diverting the pricey costs of a running a courtroom.

Dawn Kuhlman, dispute resolution specialist, said the program was about getting the disputing parties to sit down face to face and air their differences with an unbiased mediator.

“There’s a satisfaction of resolving the problem on their own and not having a judge tell them what to do,” Kuhlman said. “And while mediation is not therapy, it still can promote an environment where they can get some stuff out that you wouldn’t in a courtroom, which is nice.”

The program appears to be catching on.

In 2009, the eight volunteer mediators — all with at least 24 hours of training — mediated 74 cases, a record number since the program’s inception in 2003. Of those cases, 52 found resolution, while the other 22 were sent on to the normal small claims court process. That’s up from 2008, when 49 cases were mediated.

The program’s volunteer mediators were honored Friday, May 21, with a reception for their efforts.

Kuhlman said besides a feeling of having solved the problem on their own, litigants also enjoy a wider range of solution options.

The small claims court can make only cash judgments. And there are garnishment fees associated with a court judgment, which most litigants don’t think about before hand, said Kathleen Bird, director of the Office of Dispute Resolution Services.

“You have to realize, there isn’t an ATM attached to the side of the judge’s bench,” she said. “It can be a lengthy process after a judgment is awarded.”

Bird said 85 percent of those who make an agreement in the mediation program live up to their word. This is higher than the small claims success rate.

Taxpayers indirectly benefit from the program, too.

Reducing the caseload of a small claims court docket, which hears cases each Friday, saves the county money. It costs about \$1,000 an hour to pay all the costs associated with operating a courtroom, Bird said.

“We’re acting in the taxpayers interests by offering mediation so a courtroom can be open for those who really need it,” she said.