



FCMC Small Claims Information

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MEDIATION AT THE SMALL CLAIMS COURT

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What is Mediation? [\(back to top\)](#)

Mediation is a way for people to resolve problems without filing a lawsuit or going before a judge. The mediator is an impartial third party; the mediator helps the parties resolve their differences through negotiation. In mediation, you speak for yourself and make your own decisions. Mediation can help protect your privacy because, unlike a trial, mediation can be a confidential process.

What disputes may be mediated? [\(back to top\)](#)

Almost any civil dispute you might file in Municipal Court may be mediated. Commonly mediated disputes in the municipal court include:

Landlord-Tenant Issues

- Unreturned security deposits
- Repairs needed
- Unpaid rent/utilities
- Property damage

Consumer-Business Issues

- Faulty goods or services
- Fraud or misrepresentation

Property Damage and Money Disputes

- Automobile collision damage
- Personal property or real property damage
- Unpaid personal loans
- Unreturned borrowed property

Employer-Employee Issues

- Wages, salary, commission
- Employee benefit

If you have a dispute regarding custody, divorce, or juvenile issues, please contact the [Franklin County Court of Common Pleas, Division of Domestic Relations and Juvenile Branch](#).

Who are your mediators? ([back to top](#))

Court mediators are specially trained members of the community. Many of the mediators have extensive mediation experience.

A mediator is not a judge and does not decide if either party is “right” or “wrong.” The mediator will not force any party to accept a settlement that is not agreeable to each party. The mediator’s role is to help parties make their own decisions and agreements.

Mediators can help you reach agreements, build relationships, and find workable solutions. They have skills that help people reach positive outcomes through discussions. Additionally, mediators make sure everyone has the opportunity to speak and be heard. A mediator will not make decisions for you, provide any legal advice, or recommend the terms of an agreement.

Why choose mediation? ([back to top](#))

- **Lower Cost:** Mediation is free. (A small claims lawsuit costs \$72.00 to file.)
- **Privacy:** Mediation is private and may be confidential. In most cases, statements made during mediation cannot be used to help you or hurt you in a trial.
- **Control the Process:** The parties, rather than a judge or magistrate, are in control of the outcome. The parties know the facts better than anyone else and may be able to reach a joint agreement, which allows parties to feel better about the outcome and to retain ongoing relationships.
- **More Solutions:** A court cannot always provide a result that will satisfy the needs of all parties. In Small Claims Court, only money can be awarded as damages. Many non-monetary solutions to a dispute may exist; mediation provides an opportunity to explore those other solutions.
- **No Risk:** There is no risk in mediation. No one gives up the right to file a claim if the dispute is not resolved. You can schedule a mediation before a lawsuit is filed or while a small claims case is pending.
- **Faster:** The first trial date in a small claims case occurs 30-40 days after the complaint is filed. Mediation can usually be scheduled within 2-3 weeks.

How does mediation work? ([back to top](#))

After a mediation is scheduled, the court sends notices to all parties to give them the date, time, and location for the mediation.

- Notices will be mailed 1-2 weeks before the mediation date.
- Mediation sessions are typically scheduled every other Thursday evening beginning at

6:00 p.m.

At the mediation, the parties will sit down with the mediator in private and explain the problem as they see it and talk about how they think the matter could be resolved.

- The mediator oversees the discussion to allow each party the opportunity to be heard in an atmosphere of cooperation and respect.
- The parties develop solutions with both parties' interests in mind.
- If an agreement is reached, it is usually written and signed by all parties; each party gets a copy of the signed agreement.

How can I schedule a mediation? ([back to top](#))

To schedule a mediation, fill-out the [mediation intake form](#)* and email the completed form to mediation@fcmcclerk.com. If you have trouble sending this form by clicking "Submit Form by Email", please save the completed PDF to your computer, then email as an attachment.

Alternatively, you may return the completed form by fax (614-645-8611) or regular mail (Franklin County Municipal Court, Attn: Mediation, 375 South High Street, 16th Floor, Columbus, Ohio 43215).

Copies of this form are also available to you by visiting the Small Claims Mediation Program Monday through Friday from 8:00 a.m. to 5:00 p.m. The office is located at 375 South High Street on the 16th floor.

*This form require the most recent version of Adobe Acrobat Reader. Follow this link to download Adobe Acrobat Reader for free: <http://get.adobe.com/reader/>. Some forms may take a few minutes to download.

You must provide:

- Your name, address, and phone number.
- Name, address, and phone number for the other party or parties.
- The amount of money in dispute, if any.
- The general nature of the claim.

Franklin County Municipal Court Small Claims Division

375 South High Street, 16th Floor

Columbus, Ohio 43215-4520

Phone: 614-645-7381

Fax: 614-645-8465

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