

**Mediation** (also known as ADR or Alternative Dispute Resolution) Can be a no cost alternative to formal court proceedings. Whether you decide to represent yourself, qualify for free legal assistance or hire an experienced attorney, you may be able to avoid going to court and choose to mediate. Mediation is a way to resolve problems before going to trial. It is informal and confidential. The mediator listens to both sides and assists in resolving the dispute. A mediator cannot provide legal advice or advise whether or not you have a good case, but agreed resolutions are final and enforceable.

### 1. *Mediation outside the court:*

The Orange County Bar Association (OCBA) runs two programs with lawyer mediators who have been certified by the Supreme Court of Florida. Even some lawyers in our community go to the OCBA mediation program to resolve their own divorce issues before going to court.

**Cost: FREE!!! Phone: 407-423-5732 E-mail: Marias@ocbanet.org**

**Citizen Dispute Mediation:** For Landlord/Tenant and Neighborhood Disputes, Property Damage, Recovery of Money or Property, Animal Nuisance, Harassment, Disorderly Conduct, and Consumer Complaints.

**Family Law Mediation:** For Separation Agreements, Child Custody, Child Support, Visitation Problems, Shared Parental Responsibility, Property Settlements, and Alimony.

### 2. *Mediation inside the court:*

**County Court** - Once in Court, if the case involves less than \$15,000, or deals with a landlord/tenant issue, you may be assigned to a division in the County Court. The judge may order you to go to mediation before the trial. The County Court has a mediation program in the Courthouse with trained volunteer citizens serving as mediators. You can ask the Judge to send your case to mediation.

**Circuit Court** - If your case is in the Circuit Court, often the judge will order you and the other party to mediate, usually with a private mediator which can be expensive. If you are party to a mortgage foreclosure case you can ask the judge to send your case to mediation for which the lender will initially pay the mediation fee. Be aware that your case might never go to trial if you fail to answer the complaint in a timely manner or if the other side files a motion for summary judgment. In those instances the plaintiff might get a judgment against you before the trial.

**Location:** 1st floor (Room 120), of the Orange Co. Courthouse,  
425 N. Orange Ave., Orlando, Florida 32801  
**Hours:** Monday–Thursday, 8:30 – 11:00 a.m. timeslots  
**Phone:** 407-836-2004

**If you are a homeowner facing foreclosure you can:** represent yourself or get an attorney. Many homeowners do not get a lawyer and fail to file an answer in their court file within 20 days of being served with the complaint. The lender can then get a judgment setting the sale date without a trial or any further notice to the homeowner. If you are behind in your payments, you can decide among other options to **1) Reinstate your mortgage.** This means you ask the lender if you can bring your payments current and pay the lender the costs they have incurred. **2) Refinance your property.** This means you get a pay off figure from the lender and take out a new loan from another bank. **3) Sell your home and pay off the lender all amounts due.** Be sure that you are not transferring your property or the equity in your property without getting all the money you should. There are many schemes to defraud homeowners. The Court Resource Center at the Courthouse has information on this. **4) Allow foreclosure.** If you cannot afford an attorney, for \$50 you can consult with one by phone for 30 minutes through the OCBA Lawyer Referral program. See the "Find a Lawyer" section of this brochure.

**Mediation:** You can also ask the Judge to send your case to mediation prior to trial for foreclosure.

**If the owner of the property is deceased:** The Court will usually appoint an attorney (Attorney or Guardian Ad Litem) to locate unknown heirs. Their job is only to locate heirs, not to help any heir with the property. If you are an heir, you may need to ensure that appropriate probate proceedings are begun quickly, so that you and other heirs can get title to the property to exercise the choices listed above. In most cases you will need an attorney. Again, if you cannot afford an attorney, refer to the "Find a lawyer" section for assistance. As in all mortgage foreclosure situations, you must act fast.

**After the Sale:** If the property goes to foreclosure sale, funds may remain after payment of all disbursements required by the final judgment of foreclosure. This money will be held in the Clerk's office registry. During the 60 days after the Clerk issues a certificate of disbursements, the clerk will hold the surplus pending a court order. If you were the homeowner or heir you can get a form from the Clerk's office to claim that money, called "Owner's Claim for Mortgage Foreclosure Surplus."



**Orange County Bar Association:** The OCBA runs two programs, Lawyer Referral Service and the Modest Means Programs by which you can get advice from an attorney at low cost. Call: **407-422-4531** during business hours, Monday-Friday, 9:00 - 4:00 p.m. You can also e-mail: [normap@ocbanet.org](mailto:normap@ocbanet.org) or get more information on the web at: [www.orangecountybar.org](http://www.orangecountybar.org)

**Lawyer Referral Service** - Provides names and contact information for over 280 attorneys experienced in areas of the law that match your needs. **Cost: a \$50** administrative fee is required before a lawyer referral can be given. The fee entitles you to a 30 minute phone consultation with an attorney. If you wish to hire that attorney for more than the 30 minute consult, you can ask the attorney for his or her standard hourly rates.

**Modest Means Program** – This program provides an attorney who has agreed to accept reduced hourly rates to those who are financially of modest means as defined by established monthly income levels (ie: monthly income below \$2,109 for a family of two.) (Note: income levels subject to change.) Types of Services: Limited to Family Law, Landlord-Tenant, Bankruptcy, Wills.

**Legal Aid Society of the Orange County Bar Association, Inc.** The Legal Aid Society provides some free legal assistance to low-income residents. Payment is required for certain services such as filing fees. You **must** call **407-841-8310** and make an appointment before coming to: 100 E. Robinson St., Orlando, FL 32801. Call Monday thru Thursday from 9:00 a.m. to noon and 1:30 to 3:00 p.m., and most Saturdays from 9:00 to Noon. For more information visit <http://www.legalaidocba.org>.

Types of Civil (not criminal) services offered: family, juvenile, housing, consumer, welfare/income maintenance, health, education, immigration law and some probate issues.

**Community Legal Services of Mid-Florida, Inc. (CLSMF)**  
Offers some free assistance as well as free community education seminars, informational brochures and pro-se (self-help) materials.

Types of civil (not criminal) services offered: consumer, education, elder law, family, health, housing, public benefits, and taxes.

**In Orange County:** 122 E. Colonial Dr, Ste 200, Orlando, FL 32801

**Helpline:** 800-984-2919

**In Osceola County:** 800 North Main St., Kissimmee, FL 34744

**Helpline:** 800-984-2920

**In Seminole County:** 315 Magnolia Avenue, Sanford, FL 32771

**Helpline:** 866-718-9595

**Web:** <http://www.clsmf.org>

**Court Resource Center** – Room 365, 3rd Floor, Orange County Courthouse (425 N. Orange Ave., Orlando, FL 32801) Provides a comfortable environment for court visitors to work, conduct legal research and obtain information. **Resources include:** telephones, computers with Internet access, printer, copier, fax, court brochures and magazines. The center has directories, jury instructions, forms, rules, videos, lists of mediators, self help support, and staff assistance. [www.NinthCircuit.org/programs-services/court-resources-center](http://www.NinthCircuit.org/programs-services/court-resources-center).



**Orange County Public Library:** Has limited legal resources on the 4th floor reference section of the downtown branch. **407-835-7323**.

**FAMU College of Law Library:** Has an extensive collection of legal resources available to the public and offers research assistance. **407-254-3263**. [www.law.famu.edu/library](http://www.law.famu.edu/library).

**[www.Floridalawhelp.org](http://www.Floridalawhelp.org):** Offers legal help to moderate and low income Floridians-providing answers to legal questions, sample forms, educational materials, legal services directory and information about the courts, lawyers and social service organizations.

**Dial 211:** Similar to 911 and 411, calling 211 from a land line (or 407-839-4357 or 1-800-963-5337 from a cell phone) provides access to health and human service information such resources for food, shelter, employment, and health care. It saves struggling through a maze of agencies and services to make the right connections. "211" is operated locally by United Way of Central Florida and their operators have a complete listing of community resources.