
RULES OF MEDIATION

1. Mediation sessions are confidential and therefore only those individuals directly related to those individuals directly related to the case are allowed to be present
2. CDR Mediators are required to adhere to the Rules of Confidentiality (R. 1:38) and are therefore prohibited from discussing the case with anyone prior to or after the conference.
3. CDR Mediators have NO authority to determine guilt or impose sanctions but rather help disputants explore possible solutions to the problem.
4. Disputants are given an equal opportunity to speak.
5. Attorneys may accompany their clients in order to provide counsel, but the mediators will decide the degree of their participation.
6. Disputants are allowed to present pertinent information such as receipts, estimates, pictures, etc. that may help resolve the dispute.
7. Though not necessary, each party may present witnesses.
8. CDR Mediators may limit discussion or terminate the session.

SOME EXAMPLES OF THE TYPES OF CASES HEARD IN MEDIATION

HARASSMENT

SIMPLE ASSAULT

THEFT OF PROPERTY OR SERVICES

TRESPASSING

BAD CHECKS

NOISE COMPLAINTS

SHOPLIFTING

DISORDERLY CONDUCT

DESTRUCTION OF PROPERTY

CREATING A DISTURBANCE

ANIMAL COMPLAINTS

ANY CASE INVOLVING DOMESTIC VIOLENCE
WILL NOT BE ELIGIBLE FOR COMMUNITY
DISPUTE RESOLUTION.

This pamphlet is published as a public service.
It is meant only to inform, NOT advise anyone on a specific legal course of
action. No one should attempt to apply or interpret any law without the advice
of a licensed attorney

COMMUNITY DISPUTE RESOLUTION



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WHAT IS MEDIATION?

Mediation is an alternative to resolving disputes in Municipal Court. Trained mediators listen to all sides and help the parties to reconcile or settle disputes without court intervention. CDR is solution oriented and dedicated to the principal that the settlement of a dispute rests with the disputants themselves. In court, *you* do not determine the outcome of *your* case. Through mediation however, parties reach their own solutions.

WHAT IS THE CDRC?

The Municipal Court Community Dispute Resolution Committee utilizes community volunteers, trained as mediators to settle disputes. The CDRC Program was created to achieve several goals; early intervention in less serious community and interpersonal tensions, remove the necessity of a court record for minor personal disputes, and to relieve congestion in the courts.

WHY IS MEDIATION RECOMMENDED?

1. There is no court cost to either party.
2. If mediation is successful, there is no court record when the complaint is dismissed.
3. Mediation promotes harmony among disputing parties because these parties play a role in the resolution of their case.
4. There is no "win/lose situation". All parties are winners.
5. There is no pressure on the parties to reach a agreement.
6. Mediation supports the idea of community involvement by using volunteer members of the community, as mediators, in teams.

HOW ARE CASES REFERRED?

A complainant files an informal notice of mediation with the court administrator to initiate the mediation process. Once this form is signed, a mediation date is set and a copy of this notice is forwarded to all involved parties.

OR

If a citizen reports an incident to the police, the police may refer the citizen to the local court administrator for more information.

OR

After a formal complaint has been filed and the parties appear before a Municipal Court Judge, the judge may decide, after reviewing the complaint, that the case is appropriate for mediation.

THE ROLE OF DISPUTING PARTIES

Disputing parties play the primary role in reaching a realistic and workable agreement. All parties are expected to refrain from name calling, profanity, or threatening behavior. Parties are expected to listen to each other and negotiate a fair and reasonable agreement.

WHO ARE THE MEDIATORS?

1. Persons who have completed forty hours of training combined with experience to assist parties resolve their contested issue.
2. Individuals who can remain objective and neutral and who can deal effectively with people.
3. People with the ability to get others to communicate.

THE PARTIES REACH AN AGREEMENT

Once the parties reach an agreement, mediators will put it in writing. Everyone will sign the agreement and get a copy. If your case was referred to mediation by the judge, the agreement will be reviewed by the judge.

IF NO AGREEMENT IS REACHED

If the case was court referred, the mediators will return it to court for formal proceedings.

If the matter was referred to mediation prior to signing a formal complaint, you may wish to file a formal complaint with the court administrator.

Cases unresolved through mediation must be referred back to court for disposition

IF AN AGREEMENT IS REACHED BUT BROKEN

If your case was court referred, you may notify the court administrator to determine the course of any further action.

If you did not previously file a complaint, you may file a complaint with the court administrator or request an additional mediation session.

Mission Statement

CDR programs are an integral part of the Superior Court and Municipal Court programs, They are intended to enhance the quality and performance of the judicial process. In keeping with the recommendations of the New Jersey Supreme Court Task Force on Dispute Resolution, Camden County offers an alternative means to resolve disputes.