

## **Mediation to Make a Difference in Landlord Tenant Disputes in Sacramento County**

Posted December 12, 2011

Opportunities exist for lawyers who would like to volunteer short periods of time to an exciting new mediation program involving landlord tenant disputes in Sacramento County.

Every year 12,000 unlawful detainer actions are filed in Sacramento Superior Court. The overwhelming majority of the cases involve an unrepresented indigent tenant litigating against a landlord's attorney. Eight thousand of the twelve thousand cases end in default judgment against the tenant. The Administrative Office of the Courts is funding an innovative new project in Sacramento through a grant under the Sargent Shriver Civil Counsel Act. The Act aims to increase equal access to justice and reduce the risk of erroneous court decisions. To promote fair access to justice, the Shriver Act funds projects that increase representation to all indigent pro per parties (landlord or tenant) against parties with their own legal counsel. University of the Pacific McGeorge School of Law has partnered with the Sacramento County Superior Court and Legal Services of Northern California to form the Sacramento Housing Court Advocacy Project. The Project has a multi-format approach, including mediation, litigation and self-help assistance.

The Pacific McGeorge Housing Mediation Center will provide housing mediation services free of charge to all qualifying parties to help resolve landlord/tenant disputes in a way that mutually benefits both parties and reduces the added cost and delay of the unlawful detainer process. The Mediation Center, which is located on Chippendale Drive, will conduct mediations where both parties are represented by counsel – one party will have his/her own independent counsel and the other party will be provided with a volunteer Limited Assistance (“LAR”) attorney.

Volunteer attorneys represent their clients only for the duration of the mediation and a possible brief follow-up.

The Mediation Center will allow attorneys to serve their community by providing a limited unbundled service to indigent parties. Once a case is assigned, the LAR attorney will call the client for an interview and analysis of the case, and then appear in mediation to represent the client in either a morning or afternoon session. The attorney's commitment is generally fulfilled upon conclusion of the mediation regardless of whether settlement is reached, as specified in the retainer agreement. **The project invites attorneys in good standing with the State Bar who are interested in short-term pro bono opportunities (no more than 10 to 12 hours) to register as a volunteer LAR attorney** through the Voluntary Legal Services Program website. VLSP will confirm eligibility and thereafter provide primary malpractice coverage for all work on this project.

Pacific McGeorge provides free MCLE training to all volunteer attorneys, which includes a primer on landlord tenant law, an issue list for interviews and guidelines on how to represent a client in mediation. Check with the coordinator for specific dates and times of the training.

Volunteer attorneys will have a valuable learning opportunity in representation and negotiation in professional mediations as well as a rewarding experience serving their community by promoting equal access to justice. If desired, Pacific McGeorge mediators can provide feedback and suggestions to the attorneys to help them develop their negotiation and mediation skills.

For more information, please contact: Joanna Armstrong – Mediation Coordinator [jarmstrong@pacific.edu](mailto:jarmstrong@pacific.edu).