

INSTRUCTIONS

- Please read and review the letter from Judge Michael V. Repella II
- If you choose, complete the Request for Mediation Form enclosed. If you do not complete the form and return it to the Clerk within 28 days of receipt of the Summons, mediation will not be ordered.
- Complete the Intake Form with as much information and return it to the Clerk of Courts with the Mediation Request. If you do not complete the form and return it within 29 days of receipt of the Summons, mediation will not be ordered.
- Mail a copy of the Request for Mediation and the Intake Form to the Lender's Attorney at the address on the complaint.
- You will be notified of the date for mediation by the Court, along with further instructions.
- You may contact Southeastern Ohio Legal Services at 740-283-4781 or 800-837-4781, 100 North Third Street, Steubenville, Ohio 43952

CARROLL COUNTY COURT OF COMMON PLEAS
119 SOUTH LISBON STREET SUITE 400
P O BOX 367
CARROLLTON OH 44615

330-627-2450 (PHONE) 330-627-0985 (FAX)

MICHAEL V. REPELLA II, JUDGE

IMPORTANT INFORMATION INVOLVING YOUR HOME AND OUR COURT MEDIATION PROGRAM

Dear Homeowner,

You have been named a defendant in a Mortgage Foreclosure Complaint. If a foreclosure order is granted, you may lose your real estate and it will be sold at a sheriff's sale or private selling officer. It is important that you take this matter seriously. You must act at once to protect your legal rights.

It is recommended that you immediately seek the advice of an attorney. Beware you may receive solicitations from individuals, companies, or attorneys who claim they can save your home for a fee. **Be very cautious of such offers.**

The Carroll Common Pleas Court is extremely concerned about the number of home foreclosures in this county. If you believe you have the ability to save your home, you may request a court mediation. The request for mediation should be a realistic one and not done for the purpose of delay. If requested, the Court will schedule a mediation between the owners, the mortgage company and a court mediator. There is no prepayment costs for this mediation. The request for mediation must be made in writing. The request must include your name, address, phone number and case number. The request must be file with the Carroll County Clerk of Courts, 119 South Lisbon Street, Suite 401, Carrollton Ohio 44615. You must send the request for mediation by mail or hand deliver it to the Clerk of Courts. You must also mail a copy of the request for mediation to the mortgage service company and the attorney named in the complaint.

The request to mediate must be filed with the Clerk of Courts within twenty-eight (28) days from the date you were served with the foreclosure complaint. The Court will normally set a mediation date within sixty (60) days of your request. You must attend the mediation in person and provide necessary financial information by fully completing the financial form that will be provided to you by the court mediator. **Requesting a mediation does not stop the case from proceeding. You must still protect your legal rights.** You should still consult immediately with legal counsel. If your mediation is successful, appropriate paperwork will be presented to the Court to resolve the foreclosure. If the mediation was not successful, then the matter will proceed on the Court docket as would any other foreclosure. You may attend a mediation with or without an attorney. The goal of mediation is to see if arrangements can be made to save your home or to agree on how the case will be resolved.

A foreclosure is a very serious legal matter. Do not wait to protect your home. Please take action at once.

Respectfully,


Judge Michael V. Repella II

IN THE COURT OF COMMON PLEAS

CARROLL COUNTY, OHIO

Plaintiff

CASE NO: _____

JUDGE MICHAEL V. REPELLA II

VS.

Defendant

REQUEST FOR MEDIATION

The Defendant hereby requests that this matter be referred to mediation. This is not done for purpose of delay.

Signature of Defendant

Address

Phone Number

MAIL ORIGINAL AND ONE COPY OF REQUEST TO:

Carroll County Common Pleas Court
119 S. Lisbon Street, 4th Floor Ste. 401
P.O. Box 367
Carrollton OH 44615

ALSO MAIL A COPY TO THE ATTORNEY FOR THE MORTGAGE SERVICE COMPANY AND VERIFY THAT BY SIGNING THE FOLLOWING PROOF OF SERVICE:

PROOF OF SERVICE

I sent a copy of the foregoing Request for Mediation by regular U.S. Mail to the attorney for the lender (Plaintiff) at the address on the summons on _____, 20____.

Defendant/Borrower's Signature

CASE NO. _____

IN THE COURT OF COMMON PLEAS
CARROLL COUNTY, OHIO
MEDIATION INTAKE FORM

Upon referral to or request for mediation, each party must complete this form. Please respond to each question. Thank you for your cooperation.

Case Number : _____

Date: _____

Person completing form is (check one): ☐ Plaintiff ☐ Defendant

This matter is being referred for mediation upon request of (check all that apply):

☐ Plaintiff ☐ Plaintiff's Attorney

☐ Defendant ☐ Defendant's Attorney ☐ Judge

Plaintiff

Name: _____

Address: _____

Telephone: _____

Defendant

Name: _____

Address: _____

Telephone: _____

Would you have a concern about sitting in the same room with the other party in an effort to resolve the matters in dispute? ☐ yes ☐ no

Please explain your concerns: _____

Would you prefer to have someone accompany you if the matter is mediated?

☐ yes ☐ no

If yes, please state the person's name, full contact information, relationship to you and describe how that person will be of help to you in the mediation:

Have you retained an attorney for this matter ____yes ____no

Are you represented by an attorney in this matter ____yes ____no

If yes, name, address and telephone number of your attorney:

I certify that to the best of my knowledge, the above information is accurate and
I have circled the information, if any, that must be kept confidential:

Signature

Date

Upon completion of this form please return it to: Carroll County Common Pleas Court
119 Public Square, Suite 401
P. O. Box 367
Carrollton, Ohio 44615