

MEDIATION INFORMATION FORM
(For cases with a Return Date of 10/1/13 or later)

JD-CV-135 Rev. 9-19
C.G.S. § 49-31/

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

The Court's Foreclosure Mediation Program is set up to help eligible homeowners and their lenders or mortgage servicers see whether they can reach a fair and voluntary agreement under the supervision of a neutral mediator employed by the Court. The program addresses all aspects of the foreclosure including any assistance options that may be available through the lender or mortgage servicer to help homeowners 1) keep their homes, or 2) gracefully exit from their homes by way of a short sale, deed-in-lieu of foreclosure, or negotiated sale date or law day.

The objectives of the mediation program are:

1. To determine whether the parties can reach an agreement that may allow the parties to either:
 - a. Stop the foreclosure by using programs available through the lender or mortgage servicer; or
 - b. Go forward with the foreclosure in a way that is acceptable to the homeowner and the lender or mortgage servicer.
2. To reach some agreement with reasonable speed and efficiency, with both parties participating in the mediation process in good faith, without unreasonable and unnecessary delays.

What you must do:

1. Fill out the Appearance form and Foreclosure Mediation Certificate. These forms are included in this packet. You must file them with the court **no later than 15 days after the return date**. The return date is printed on the upper right part of the Summons form in this packet. **You do not have to come to court on the return date**. The court cannot notify you of the date and time you must come for your first premediation meeting until you file these forms.
2. Mail a copy of the Appearance form and the Foreclosure Mediation Certificate to the Plaintiff's attorney at the address of the attorney or law firm on the Summons form, and to any other party who has filed an appearance in your case.
3. **Start gathering documentation** so that you will be prepared to meet with your mediator. Lenders typically request copies of the following documents:

Proof of Income

- Wage/Salary Income – Pay stubs covering the last 30 days.
- Self-Employment Income – Profit & Loss statement for the most recent quarter or year to date, signed and dated.
- Benefit Income – Most recent award letter (social security, disability, food stamps, pension, public assistance, adoption assistance).
- Rental Income – All leases with signatures.
- Alimony/Child Support – If you rely on this income to pay your mortgage, court order showing the amount of alimony and/or child support that you receive.
- Contribution Income – Contribution letters from all non-borrowers who are related to you and live with you, signed and dated by them, and proof of their income.
- Federal Tax Returns – Personal returns with all schedules for the last 2 years; copies of business returns, if applicable; copies of IRS tax filing extensions, if applicable.
- Bank Statements – Personal bank statements for the last 2 months and business bank statements for the last 4 months if self-employed. Must include all pages, bank logo, and account holder's information.

Other Information

- Most recent utility bill (*gas, electric, or water*).
- Most recent real estate property tax bill.
- Evidence of amount of homeowner's association dues/condominium fees, and whether current or delinquent.

- Homeowners' insurance declaration page.
 - Hardship letter – A letter, signed and dated by all borrowers, explaining what prevented you from making your mortgage payment, and indicating if the hardship is resolved.
4. Within 35 days from the return date, your lender or mortgage servicer will mail you a packet of forms, their list of required documentation, and other information about your loan or your property. A copy will also be sent to your mediator. **Upon receipt of this packet, complete the forms provided, gather any additional documents on the list, and bring the completed forms, and other documents to your scheduled premediation meeting with your mediator.** You can read more about this meeting in the next section below. **Do not mail the completed forms and documents to the court.**

The Mediation Process

If your return date is October 1, 2013 or later, the Foreclosure Mediation Program will consist of two stages:

- **Premediation** – During this stage, you will meet one-on-one with a mediator to review your financial information and to discuss possible options. If necessary, the mediator will help you complete forms and gather the documents required by your lender or mortgage servicer. The mediator may also refer you to other resources that can help you, such as the housing counseling agencies listed on the attached Notice of Community-Based Resources. You may have one or more meetings with the mediator, but premediation will end approximately 12 weeks from the return date on your Summons. At the conclusion of premediation, the mediator will ensure that your documentation is delivered to your lender or mortgage servicer or its attorney, and will determine whether mediation with your lender or mortgage servicer will be scheduled. If the mediator determines that mediation will not be scheduled, mediation will terminate. If mediation has been terminated, you may ask the Court to be included in mediation if you think the mediator has made a mistake or if you have had a change in circumstances. If the mediator determines that mediation will be scheduled, you will receive notice of the date and time of your mediation in the mail. The first mediation will be scheduled no later than 5 weeks from the date your forms and documentation are delivered to your lender or mortgage servicer, or its attorney.
- **Mediation** – If mediation is scheduled, you will meet with a mediator and a representative of the lender or mortgage servicer and its attorney to review any assistance options that may be available to you through your lender or mortgage servicer. **Depending on your situation, you may be asked to submit additional documentation as part of the mediation process.** By law, the representative is permitted to participate in mediation by phone as long as the representative is knowledgeable about your case and the types of assistance that may be available to you. If you are represented by an attorney, your attorney may appear for you after the first mediation as long as you are available to participate by phone. If you do not have an attorney and if there are 2 or more self-represented borrowers, then after the first mediation session, it is likely that only one of you will need to come to mediation if the other(s) are available to participate by phone.

Other information you should know:

The information you provide during the mediation process will be treated as confidential and will not be shared without your consent with anyone except your lender or mortgage servicer, its attorneys, and a court-employed mediator with the Foreclosure Mediation Program.

Before your premediation meeting(s) with the mediator, if you need help completing forms, gathering documents, or preparing for mediation, you may contact one of the housing counseling agencies listed on the attached Notice of Community-Based Resources (*form JD-CV-126*). However, if you are not able to get help quickly enough, you must do your best to complete the forms and gather the documents yourself. The mediator will give you additional help during the premediation process.

If your spouse is not a borrower on your loan, but you wish to have that person attend mediation with you, you must give your lender your written consent to discuss your loan with your spouse.