

WHAT HAPPENS IF MEDIATION DOESN'T WORK?

If mediation does not settle the case, a trial will be set.

A trial is a fact finding process that is decided by a judge or jury.

Witnesses may be called. Witnesses are people with firsthand knowledge about things important to prove your case.

Written evidence can also be submitted but a copy must also be provided to the other party.

Learn more about trials:

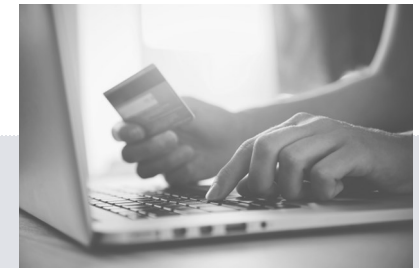
*[courts.oregon.gov/help/
Documents/civiltrialbrochure.pdf](https://courts.oregon.gov/help/Documents/civiltrialbrochure.pdf)*

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Debt Collection Cases



- ♦ Information
- ♦ Resources
- ♦ About Mediation

Marion County Circuit Court



Resources

Debt Collection in Oregon:

<https://oregonlawhelp.org/topics/money-debt-and-consumer-issues/debt-collection>

Legal Help and Lawyer Search:

<https://oregonlawhelp.org/Search-for-lawyers-legal-help>

MEDIATION

In Marion County Circuit Court, debt collection cases will go to a special mediation appearance.

An experienced retired civil judge will conduct mediation between the parties to see if they can come to an agreement.

The mediator will help parties communicate and come up with options to settle the case.



Benefits of mediation:

- Faster and less expensive
- Parties decide the outcome
- Parties can be more creative in resolving the dispute
- It is private and confidential

Results of mediation:

- A judgment is entered to explain how your case was decided, who owes what money, and why
- Most cases with agreements to pay are dismissed

Things to consider:

- Entering into a mediation agreement is voluntary
- If you do not follow the agreement, the other side can come back to court and enter a lien to collect money owed by garnishment.
- Debtors should not enter into an agreement if they cannot follow through with the agreement
- Some income sources and a portion of your paycheck are protected from debt collection.
See oregonlawhelp.org topic "Garnishment in Oregon"

WHAT TO DO IF YOU ARE BEING SUED FOR A DEBT

Read the summons and complaint and make sure you understand:

- ♦ Who is suing you.
- ♦ How much they claim you owe
- ♦ Your deadline to respond

Decide whether to respond:

Go to oregonlawhelp.org

Search for "Debt Lawsuit"

Select "Should I Respond to a Debt Lawsuit"

Is the debt really old?

The time to sue for debt in Oregon is usually 6 years from the last payment, but some actions can restart this clock, learn more at oregonlawhelp.org.

Forms to Respond:

Go to courts.oregon.gov/courts/marion/help/Pages/forms.aspx

Select "Civil Miscellaneous"

Select form "Civil Answer"