

Connecticut's two-tier foreclosure process hurts homeowner's chances of success.



Foreclosure Mediation Before Foreclosure Litigation

Connecticut's current foreclosure process overburdens the courts and hurts homeowners.

- Foreclosure mediation and foreclosure litigation proceed on separate, simultaneous tracks through Connecticut's court system.
- There are approximately 14,000 households participating in the Foreclosure Mediation Program, all of which have concurrent court cases.
- Since mediation began in July 2008, more than 75% of cases settle, most of which did not require Court involvement.
- Handling unnecessary foreclosure litigation drains resources needed for other Court business.

Putting mediation before litigation will reduce costs for everyone and Court caseloads.

- Court costs and workloads will go down: Motions in foreclosure cases which ultimately settle through mediation would not be heard or processed by the Judicial Branch.
- Connecticut's mediation program will conform to nationwide "best practices": Most of the other states and counties with foreclosure mediation put mediation before foreclosure litigation.
- The burden on self-represented homeowners will ease: The status quo creates confusion and stress for homeowners who are working towards settlement through mediation while juggling litigation, usually without legal representation.
- More lawyers will represent homeowners for free: Attorneys volunteering to help homeowners through the Connecticut Fair Housing Center's Pro Bono Foreclosure Prevention Panel will spend less time per case, and in turn, could represent more homeowners.
- Lenders will be able to pursue uncontested foreclosures quickly: Foreclosures in which homeowners do not appear or request mediation can proceed without delay.



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