

La Crosse County Foreclosure Mediation Program

Notice of Availability of Mediation

What is the foreclosure mediation program?

La Crosse County's foreclosure mediation program is administered by Western Wisconsin Mediation Services and is part of the Wisconsin Foreclosure Mediation Network. This Network receives funding from the Wisconsin Department of Justice and support from your local courts.

The Program is available to assist homeowners facing a mortgage foreclosure action in La Crosse County. Mediation is a confidential and voluntary process where you and the lender seeking to foreclose on your home may discuss ways to resolve your foreclosure case, including reinstatement of the loan and possible modification of the loan terms.

The Program is available to parties to a first or second mortgage foreclosure action involving a one-four family residential property. You must live in and own the property that is subject to the foreclosure action to qualify for mediation under this program. In addition, the action must be pending in La Crosse County. Vacation properties or "seasonal homes" are not eligible, nor are homes in bankruptcy.

Mediation in this program is a two-step process. First, the homeowner works with a qualified housing counselor to prepare a proposal for mediation. After the proposal is prepared, a trained mediator is assigned to meet with the homeowner and the lender to help them reach agreement. Any discussions in mediation are confidential. Mediation is typically scheduled within 60 days of the date the application is received.

How does the homeowner apply for foreclosure mediation?

In La Crosse County, the Summons and Complaint served on the homeowner must contain notice of availability of mediation and application form. Forms are also available through Western Wisconsin Mediation Services website at www.MediateWisconsin.com or at the La Crosse County website: <http://www.co.la-crosse.wi.us/Departments/Court/docs/NoticeAvailabilityofMediation.pdf>. The forms must be printed on yellow colored paper.

A homeowner requesting mediation should follow the directions on the form and send the mediation application form and \$150.00 application fee payable to Western Wisconsin Mediation Services to the La Crosse County Clerk of Court. A homeowner should request mediation within 30 days of receiving the Summons, but mediation may be available even after that date.

The \$150 program fee is due at the time of application and may be paid by check or money order payable to Western Wisconsin Mediation Services.



Is participation in mediation required?

Participation is voluntary for the homeowner/borrower; however, once the homeowner/borrower requests mediation, the lender is required to participate.

While entry into the Foreclosure Mediation Program is voluntary for the homeowner/borrower and mandatory for the lender, upon entering the process, both parties agree to abide by the process set forth in the court's local rules.

How can the Housing Counselor help?

When a homeowner requests mediation, they are matched with a housing counselor in this area. That housing counselor will help the homeowner gather information needed to look for programs that may be available and to prepare a proposal for the meeting with the mediator and the lender. If a homeowner fails to take this step, they will lose their eligibility for mediation.

What does mediation cost?

You and your lender must each pay a non-refundable mediation fee of \$150 before the case can be scheduled for mediation. To make your payment you may mail a check or money order payable to Western Wisconsin Mediation Services along with your request for mediation form.

Does the foreclosure stop during the mediation process?

Yes. Upon the Clerk of Courts' receipt of your Mediation Request Form and non-refundable mediation fee, the Clerk will notify the Program Administrator and the Court. The Court will issue an Order of Stay until conclusion of mediation, but may waive the mediation requirement for cause and upon request of a party.

Do you need a lawyer to participate in the mediation program?

While everyone is always strongly encouraged to consult with an attorney, you are not required to be represented by an attorney. You may contact the statewide Lawyer Referral and Information Service at (800) 362-9082 or the local Legal Action of Wisconsin office at (800) 803-0927, to obtain the names of attorneys who may be able to assist you. If you are working with a lawyer, please notify the Program Administrator of their name and contact information.

Who must attend the mediation session?

The mediation session must be attended in person by all homeowners who signed the note. All attorneys must also attend in person or by video conference, if available. The loan servicer will attend by telephone. Either party may have other support persons such as attorneys, loan officers and tax advisers attend or available by phone.

Where can I find additional foreclosure resources?

More information on resources for homeowners facing foreclosure is available at www.MediateWisconsin.com.

