

Date of Hearing: March 17, 2026

ASSEMBLY COMMITTEE ON JUDICIARY

Ash Kalra, Chair

AB 1950 (Harabedian) – As Amended March 9, 2026

PROPOSED CONSENT (As Proposed to be Amended)

**SUBJECT:** CIVIL ACTIONS: MEDIATION

**KEY ISSUE:** SHOULD THE SUPERIOR COURT OF LOS ANGELES COUNTY BE PERMITTED TO CONDUCT A PILOT PROGRAM WHERE ANY CIVIL CASE MAY BE SENT TO MANDATORY MEDIATION, NOTWITHSTANDING THE STATE'S GENERAL AMOUNT IN CONTROVERSY LIMIT OF \$75,000 FOR MANDATING MEDIATION IN CIVIL MATTERS?

**SYNOPSIS**

*Civil litigation can be a costly and contentious undertaking. When conducted properly and commenced with buy-in from all parties, mediation can be a useful tool to resolve civil actions without the need for protracted litigation. When parties are unready or unwilling to mediate a dispute, however, it can be little more than a costly waste of time. Regardless of one's thoughts about the merits of mediation, when the Legislature increased the amount in controversy limit for unlimited civil cases in 2023, with the passage of SB 71 (Umberg) Chap. 861, Stats. 2023, it inadvertently decreased the amount of unlimited civil cases eligible for court-mandated mediation. Seeking to preserve mandatory mediation as a tool to promote efficiency in the civil justice system, last year this Committee authored AB 1523 (Committee on Judiciary) Chap. 201, Stats. 2025, to increase the amount in controversy cap for sending cases to mediation to \$75,000.*

*Despite the passage of AB 1523, the Superior Court of Los Angeles County contends that the \$75,000 threshold still leaves many of the civil matters pending before that court ineligible for mediation. As the largest trial court system in the nation, the court notes that the \$75,000 threshold is continuing to result in backlogs in the county's civil docket as cases cannot be quickly resolved through mediation. To address the unique needs of the Superior Court of Los Angeles County, this bill would authorize the court to conduct a pilot program whereby any civil matter can be referred to mediation. Given that the Superior Court of Los Angeles County maintains a robust data tracking system most other superior courts in this state have not attempted to develop, this bill would task the court with reporting back to the Legislature on the success of the pilot program. This data will, hopefully, inform the statewide discussion on the use of mandatory mediation in civil litigation.*

*This bill is supported by the Superior Court of Los Angeles County who highlight the need to more effectively manage the court's civil docket utilizing mediation. The bill has no registered opposition and proposed amendments appear to address any outstanding concerns stakeholders have expressed regarding the bill.*

**SUMMARY:** Authorizes the Superior Court of Los Angeles County to conduct a pilot program ordering any civil matter into mediation, notwithstanding the general \$75,000 amount in controversy limitation permitting civil cases to be ordered to mediation. Specifically, **this bill:**

- 1) Provides that notwithstanding the existing \$75,000 amount in controversy limit for ordering cases to mediation, the Superior Court of Los Angeles County may order any case into mediation, as specified.
- 2) Provides that if the Los Angeles County Superior Court issues an order permitting the provisions of 1) to take effect, all other restrictions on mandatory mediation in existing law remain in effect.
- 3) Requires all mediations conducted pursuant to 1) to comply with the following:
  - a) All cases ordered to mediation are to be entitled up to three hours of no-cost mediation services provided by a court-sanctioned mediation program;
  - b) Parties subject to the mediation may appear remotely; and
  - c) A mediation ordered pursuant to 1) cannot delay or serve as grounds to continue the trial date or delay or continue any expedited procedures.
- 4) Requires, if the Los Angeles County Superior Court issues an order permitting the provisions of 1) to take effect, the court to transmit a report to the Assembly and Senate Committees on Judiciary on or before January 31, 2028, and annually thereafter, containing all of the following:
  - a) The number of cases ordered to mediation pursuant to 1);
  - b) The number of cases in which the trial date was delayed after being ordered to mediation;
  - c) The number of cases in which a full or partial settlement was reached as a result of mediation.
- 5) Requires, if feasible, the information provided pursuant to 4) to be reported by case type.
- 6) Makes various findings and declarations to declare this bill is a special statute.
- 7) Provides that provisions of the bill are to sunset on January 1, 2032.

**EXISTING LAW:**

- 1) Authorizes, beginning January 1, 2027, a court to order a case into mediation if all of the following conditions are met:
  - a) The amount in controversy does not exceed seventy-five thousand dollars (\$75,000), as specified;
  - b) The case has been set for trial;
  - c) At least one party has notified the court of its interest in mediation;
  - d) There are no ongoing discovery disputes impacting the case;

- e) The parties have been notified of their option to stipulate to a mutually agreeable mediator; and
  - f) The parties have the ability to mediate through the use of remote technology upon the stipulation of all parties. (Code of Civil Procedure Section 1775.5 (a).)
- 2) Requires, if a matter has been referred to mediation pursuant to 1) and if the parties do not stipulate to a mutually agreeable mediator within 15 days of the date the case is submitted to mediation, the court to select a mediator, at no cost to the parties, pursuant to standards adopted by the Judicial Council. (Code of Civil Procedure section 1775.5 (b).)
  - 3) Requires all parties attending a mediation to adhere to specified Rules of Court except that the parties may utilize any means of remote technology in accordance with the stipulation in 1). (Code of Civil Procedure Section 1775.5 (c).)
  - 4) Requires any mediation mandated by 1) to conclude in the form of a mutually acceptable agreement or statement of nonagreement no later than 120 days before the trial date, as specified. (Code of Civil Procedure Section 1775.5 (d).)
  - 5) Clarifies that determination and any stipulation of the amount in controversy is to be without prejudice as to any finding on the value of the case. (Code of Civil Procedure Section 1775 (e).)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** Court-ordered mediation is the process whereby the judge overseeing a civil action sends the dispute to a neutral person or facilitator before trial seeking to promote productive communication between the disputants to assist them in reaching a mutually acceptable agreement. Seeking to ensure that many civil matters remained eligible for mediation following the 2023 adjustment of the amount in controversy levels for unlimited civil cases, last year this Committee sponsored and approved AB 1523 (Committee on Judiciary) Chap. 201, Stats. 2025, to increase the jurisdictional limit on cases that could be referred to mediation.

Notwithstanding AB 1523, the Superior Court of Los Angeles County requested additional flexibility to order matters into mediation given the unique size and nature of the Los Angeles County court system. To that end, this bill authorizes the Superior Court of Los Angeles County to conduct a pilot program to study the impact of removing the jurisdictional limit on ordering civil matters into mediation. In support of this bill, the author states:

AB 1950 establishes a Los Angeles County-specific pilot program to expand access to court-ordered mediation and improve civil case resolution. Between 2022 and 2025, unlimited civil filings increased by 39 percent, causing immense pressure on the court system.

In response to this rapid caseload growth, AB 1950 moves civil cases into early, collaborative mediation thereby reducing trial court dockets and judicial backlog. This approach will accelerate access to justice and lower costs for both litigants and the court system. By expanding access to mediation and prioritizing early resolution, AB 1950 advances a more efficient, equitable, and responsive civil justice system for Los Angeles County.

***Under the correct circumstances, mediation can facilitate the resolution of a civil dispute without a trial.*** For over 30 years, California’s civil courts have had the ability to direct some civil actions to mediation before a case proceeds to trial. The mediation process is designed to force all of the parties to a civil action to work with a trained mediator to see if a mutually agreeable solution to the dispute can be reached. When all of the parties to a matter are open to mediation, the process can be successful. However, given the potentially contentious nature of litigation, frequently, the parties are not prepared to amicably resolve their differences, especially if mediation is ordered before all discovery has been conducted and if other procedural disputes are still playing out. In cases in which the parties are not amenable to mediation, the process frequently serves as a waste of time and money that delays the inevitable trial.

Unfortunately, outside of a twenty-plus year old study, there is little information outlining the success or failure rates for mediation in California’s civil justice system. While the Judicial Council of California tracks when civil cases are disposed of, and reports that 80 percent of unlimited cases in recent years were disposed of before trial, the Council does not specify how pretrial resolutions were reached. (*2024 Court Statistics Report*, Judicial Council of California (2024) at p. 51.) Accordingly, the 80 percent of cases resolved before trial may have been settled without mediation, dismissed for lack of evidence, or otherwise resolved. Nonetheless, recognizing that mediation can serve as a useful tool in resolving civil matters, last year the Committee authored the aforementioned AB 1523 to ensure that new jurisdictional limits for unlimited civil matters would not forestall the use of mediation.

***Due to its size, the Superior Court of Los Angeles County faces unique challenges but has also proved more innovative than many other jurisdictions in California.*** The Superior Court of Los Angeles County is the largest trial court in the nation. The Superior Court operates 36 courthouses, conducts nearly 2,500 jury trials annually, employs more than 4,600 staff, and maintains an annual budget well in excess of one billion dollars. (Superior Court of Los Angeles County, *About the Court*, available at: <https://www.lacourt.ca.gov/pages/lp/court-communications/tp/about-the-court>.) Given the massive workload facing the judicial officers in Los Angeles County, the Superior Court notes that the AB 1523 framework does not enable the court to move a sufficient number of civil matters into mediation, thus causing significant delays in processing civil cases through the justice system. The court also notes that due to the higher cost of living in Los Angeles, when compared to some of the state’s smaller and more rural counties, the existing \$75,000 amount in controversy cap for mandated mediation also disqualifies a significant number of cases pending before the Superior Court of Los Angeles County’s civil departments.

Seeking to manage this massive workload, the Superior Court of Los Angeles County has been far more proactive than other superior courts across the state at utilizing data-driven strategies to generate efficiencies in day-to-day court operations. In a Fall 2025 presentation to Committee staff, the Los Angeles County Superior Court highlighted its innovative partnership with Stanford Law School to utilize data backed solutions to promote access to justice. Unlike most superior courts, Los Angeles County has analyzed case filing and outcome data to develop technological tools intended to help litigants. For example, a new system deployed by the court aims to reduce the rate of default judgments in debt collection and unlawful detainer actions. The Superior Court of Los Angeles County is now utilizing data to track the effectiveness of the new system. In conversations with the Committee, the Superior Court of Los Angeles County notes that it has the capacity to bring a similar granular-level data analysis to mandated mediation and associated case outcomes.

***This bill*** would authorize the Superior Court of Los Angeles County to conduct a pilot program to study the effect of eliminating the amount in controversy cap from mediation. The bill maintains all of the procedural safeguards surrounding mediation adopted in AB 1523, provides that litigants must be provided several hours of free mediation services, and clarifies the use of remote technology for conducting mediations. As proposed to be amended, the bill also ensures that trials will not be delayed by mediation. Finally, building on the Superior Court of Los Angeles County's impressive data collection and analysis capabilities, this bill requires the court to submit to the Legislature annual reports on the effectiveness of the pilot program, including data regarding how many cases were sent to mediation, the success rate of mediation, and any scheduling issues caused by the use of mandatory mediation. This bill would sunset in 2032, although the data generated by Los Angeles County may be useful in debating the expanded the use of mandatory mediation statewide.

***Proposed amendments ensure that mediation does not delay justice.*** Several stakeholders reiterated concerns regarding the use of mandatory mediation and the potential to delay trial dates. While this issue was extensively addressed in AB 1523 and discussed at length in this Committee's analysis of that bill, stakeholders nonetheless want to ensure that the pilot program in Los Angeles County does not delay justice. Accordingly, the author is proposing the following amendment to address concerns related to mediation and trial dates. A new subdivision will be added to the bill to read:

***(d) A mediation ordered pursuant to this section shall not delay or serve as grounds to continue the trial date or delay or continue any expedited procedures, including but not limited to procedures pursuant to Section 36.***

***ARGUMENTS IN SUPPORT:*** This bill is supported by the Superior Court of Los Angeles County. In support of the bill, the court writes:

Over the past three years, civil filings in Los Angeles County – both limited and unlimited – have surged by approximately 67 percent. In the past year alone, the Court's Civil Division received more than 110,000 new unlimited civil filings and nearly 175,000 new limited civil filings. On average, a new civil case is filed in our Court approximately every two minutes of every working day.

Because the amount in controversy in the majority of our civil filings exceeds the recently increased \$75,000 threshold for mandatory mediation (effective January 1, 2027), the Court and litigants will be unable to meaningfully benefit from recent statutory changes. In addition, the current 'one-size-fits-all' threshold does not adequately account for regional differences in case volume, court capacity, and cost of living. Factors that are particularly significant in a jurisdiction as large and complex as Los Angeles County.

AB 1950 would complement the substantial investments the Court has made in mediation programs. Central to these efforts is the Court's dedicated Alternative Dispute Resolution (ADR) Office, which oversees a broad network of programs and a custom digital platform launched in 2025 to expand mediation access and efficiency. The return on these investments has been significant. A Judicial Council evaluation of court mediation programs found an approximately 50% resolution rate, a 30% reduction in the trial rate, and a 23-day reduction in the time to resolution. These outcomes translate to into lower litigation costs for parties and more timely access to justice.

From a judicial perspective, AB 1950 provides the bench with an essential case management tool. Rather than being constrained by an arbitrary monetary threshold, judicial officers would be able to exercise their discretion to determine when mediation is appropriate based on the specific circumstances of each case.

The Superior Court of Los Angeles County's mission is to serve our community by providing equal access to justice through the fair, timely, and effective resolution of all cases. AB 1950 would help advance that mission by expanding opportunities for parties to resolve disputes efficiently while preserving their right to trial. For these reasons, the Court respectfully requests your AYE vote for AB 1950.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Superior Court of Los Angeles County

**Opposition**

None on file

**Analysis Prepared by:** Nicholas Liedtke / JUD. / (916) 319-2334