

CONSENT

Bill No: AB 1950
Author: Harabedian (D)
Amended: 3/18/26 in Assembly
Vote: 21

SENATE JUDICIARY COMMITTEE: 13-0, 6/23/26

AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern,
Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 74-0, 5/22/26 - See last page for vote

SUBJECT: Civil actions: mediation

SOURCE: Superior Court of Los Angeles County

DIGEST: This bill establishes a pilot program authorizing the Superior Court of the County of Los Angeles to order a case into mediation, regardless of whether the amount in controversy exceeds the \$75,000 limit under existing law.

ANALYSIS:

Existing law:

- 1) Defines “mediation” as a process in which a neutral person or persons facilitate communication between the disputants to assist them in reaching a mutually acceptable agreement. (Code Civ. Proc. § 1775.1.)
- 2) Prohibits the court from ordering a case into mediation where the amount in controversy exceeds \$50,000 until January 1, 2027.
 - a) The determination of the amount in controversy shall be made in the same manner as provided in Section 1141.16 and, in making this determination, the court shall not consider the merits of questions of

liability, defenses, or comparative negligence. (Code Civ. Proc. § 1775.5.)

- 3) Prohibits the court from ordering a case into mediation where the amount in controversy exceeds \$75,000 on and after January 1, 2027.
 - a) The determination of the amount in controversy shall be made in the same manner as provided in Section 1141.16 of the Code of Civil Procedure and, in making this determination, the court shall not consider the merits of questions of liability, defenses, or comparative negligence.
 - b) Prohibits a case from being ordered into mediation unless all of the following conditions are met:
 - i. the case has been set for trial;
 - ii. at least one party has notified the court of its interest in mediation;
 - iii. there are no ongoing discovery disputes impacting the case;
 - iv. the parties have been notified of their option to stipulate to a mutually agreeable mediator; and
 - v. the parties have the ability to mediate through the use of remote technology upon the stipulation of all parties.
 - c) 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 shall select a mediator, at no cost to the parties, pursuant to standards adopted by the Judicial Council.
 - d) All parties and counsel attending the mediation shall comply with subdivision (a) of Rule 3.894 of the California Rules of Court, except that the parties may utilize any means of remote technology in accordance with the stipulation provided in paragraph (6) of subdivision (a).
 - e) Mediation ordered shall conclude in the form of a mutually acceptable agreement or statement of nonagreement, as described in Section 1775.9 of the Code of Civil Procedure, no later than 120 days before the set trial date.
 - f) Any mediation shall not delay the set trial date.
 - g) The determination and any stipulation of the amount in controversy shall be without prejudice as to any finding on the value of the case. (Code Civ. Proc. § 1775.5.)
- 4) Provides that the determination of the amount in controversy shall be made by the court and the case referred to arbitration after all named parties have appeared or defaulted. The determination shall be made at a case management conference or based upon review of the written submissions of the parties, as provided in rules adopted by the Judicial Council. The determination shall be

based on the total amount of damages, and the judge may not consider questions of liability or comparative negligence or any other defense. At that time the court shall also make a determination whether any prayer for equitable relief is frivolous or insubstantial. The determination of the amount in controversy and whether any prayer for equitable relief is frivolous or insubstantial may not be appealable. No determination pursuant to this section shall be made if all parties stipulate in writing that the amount in controversy exceeds the amount specified. The determination and any stipulation of the amount in controversy shall be without prejudice to any finding on the value of the case by an arbitrator or in a subsequent trial de novo. (Code Civ. Proc. § 1141.16.)

- 5) Provides that in the courts of the County of Los Angeles and in other courts that elect to apply this section of law, all at-issue civil actions in which arbitration is otherwise required, whether or not the action includes a prayer for equitable relief, may be submitted to mediation by the presiding judge as an alternative to judicial arbitration. Any civil action otherwise within the scope of this title in which a party to the action is a public agency or public entity may be submitted to mediation. (Code Civ. Proc. § 1775.3.)

This bill:

- 1) Establishes a pilot program for the Superior Court of Los Angeles County that authorizes a court to order cases to mediation regardless of the amount in controversy requirement of \$75,000.
 - a) All other requirements under existing Section 1775.5 of the Code of Civil Procedure must still be met.
- 2) Provides that any case ordered to mediation under the pilot program is entitled to up to three hours of no-cost mediation services provided by a court-sanctioned mediation program.
- 3) Authorizes parties subject to mediation to appear remotely.
- 4) Prohibits any mediation ordered from delaying or serving as grounds to continue the set trial date or otherwise delay or continue any expedited procedures.
- 5) Requires the Superior Court of Los Angeles County 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 information regarding any case ordered to mediation:

- a) the number of cases ordered to mediation;
 - b) the number of cases in which the trial date was delayed after being ordered to mediation; and
 - c) the number of cases in which a full or partial settlement was reached as a result of mediation.
- 6) Requires, to the extent feasible, that the Superior Court of Los Angeles report the data in 5) by case type.
- 7) Repeals these provisions on January 1, 2032.

Comments

“Mediation” is the process in which a neutral person or persons facilitate communication between the disputants to assist them in reaching a mutually acceptable agreement. (Code Civ. Proc. § 1775.1.) The law currently provides a narrow authorization for courts to force a case into mediation without the parties consent. (Code Civ. Proc. § 1775.5.) The law provides that in the courts of the County of Los Angeles and in other courts that elect to do so, all at-issue civil actions in which arbitration is otherwise required may be submitted to mediation, as provided. (Code Civ. Proc. § 1775.3.)

Beginning on January 1, 2027, a court is prohibited from ordering a case into meditation if the amount in controversy exceeds \$75,000 and certain conditions are not met. These conditions include:

- that the case has been set for trial;
- that at least one party has notified the court of its interest in mediation;
- that there are no ongoing discovery disputes impacting the case;
- that the parties have been notified of their option to stipulate to a mutually agreeable mediator; and
- that the parties have the ability to mediate through the use of remote technology upon the stipulation of all parties. (Code Civ. Proc. § 1775.5.)

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 must select a mediator, at no cost to the parties, pursuant to standards adopted by the Judicial Council. If mediation is ordered under these provisions, all parties and attorneys of record

must attend all mediation sessions and, if any party is insured under a policy of insurance that provides or may provide coverage for a claim that is a subject of the action, a representative of the insurer with authority to settle or recommend settlement of the claim must attend all mediation sessions. Attendance may be through the use of remote technology upon the stipulation of the parties. Any ordered mediation cannot delay the set trial date. The determination and any stipulation of the amount in controversy is to be without prejudice as to any finding on the value of the case.

This bill seeks to establish a pilot program for the Superior Court of Los Angeles County that would allow cases to be ordered to mediation regardless of the amount in controversy. All other conditions of Section 1775.5 would still apply. Any case ordered to mediation under the pilot program would be entitled to up to three hours of no-cost mediation services provided by a court-sanctioned mediation program. Parties subject to mediation under the bill are allowed to appear remotely. Any mediation ordered cannot delay or serve as grounds to continue the trial date or otherwise delay or continue any expedited procedures.

In order to ensure that data on the pilot program is collected, the Superior Court of Los Angeles County is required 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 information regarding any case ordered to mediation:

- the number of cases ordered to mediation;
- the number of cases in which the trial date was delayed after being ordered to mediation; and
- the number of cases in which a full or partial settlement was reached as a result of mediation.

To the extent feasible, the Superior Court of Los Angeles County is also required to report the data by case type. This data will allow the Legislature to review the pilot project and whether or not removing the amount on the case in controversy for mandatory mediation produces positive results. The pilot project sunsets on January 1, 2032.

The sponsor of the bill, the Superior Court of Los Angeles County, notes that 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.” They argue that the current threshold does not take into account regional differences around the state that affect courts, factors which are significant in Los Angeles County, including case volume, court capacity, and cost of living.

The Superior Court of Los Angeles County, the sponsor of the bill, writes:

[...] Although California’s mandatory mediation threshold will increase to \$75,000 on January 1, 2027, most civil filings in Los Angeles County already exceed that amount. As a result, the Court and litigants in our jurisdiction are unlikely to realize substantial benefits from the statutory change. Moreover, a single statewide monetary threshold does not reflect the significant differences in case volume, court capacity, and economic conditions among California’s counties, differences that are particularly pronounced in a jurisdiction as large and complex as Los Angeles County.

This bill builds on the Court’s substantial investment in alternative dispute resolution. Through its Alternative Dispute Resolution (ADR) Office and the launch of its digital ADR platform in 2025, the Court has expanded access to mediation and streamlined the referral process for litigants. A Judicial Council evaluation found that mediation achieved an approximately 50 percent resolution rate, reduced trial rates by 30 percent, and shortened time to resolution by an average of 23 days. These outcomes reduce litigation costs, conserve judicial resources, and improve timely access to justice for all court users. [...]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/4/26)

Superior Court of Los Angeles County (source)
Judicial Council of California

OPPOSITION: (Verified 8/4/26)

None received

ARGUMENTS IN SUPPORT: The author writes:

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.

ASSEMBLY FLOOR: 74-0, 5/22/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Chen, Gabriel, Celeste Rodriguez, Ta, Wicks

Prepared by: Amanda Mattson / JUD. / (916) 651-4113
8/5/26 15:04:14

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