

# HOW LITIGATION WORKS, THE BASICS, A.K.A. STOP ASKING FOR UPDATES:

## The Basic Lawsuit:

Two types of litigation for most tenants: unlawful detainer (UD, see above) and civil suit. A UD and a civil suit are independent of each other. You can be in UD (eviction) and sue your landlord at the same time. A UD takes about 4-6 weeks to resolve and a civil suit can take up to two years.

We talk about civil suits in this section.

## Timelines:

- collection of evidence: depends on client, 2 weeks or 6 months
- approval and evaluation, further questioning of client evidence: 2-4 weeks
- client signs retainer: 1-2 days
- preparation of lawsuit: 5-6 weeks
- filing of suit: 1-2 weeks
- service of summons and complaint on defendant/landlord: 1-2 months
- discovery: 3-8 months
- trial date: at least 1 year from filing date

## Updates to Clients:

We update clients only when there are important matters such as answering discovery questions, negotiations, mediation, and trial times. Otherwise we handle all litigation.

## Mediation:

We encourage mediation to settle disputes and require our clients to participate. Not mediating a case is grounds for us to fire the client. Mediation is when the two sides choose an experienced mediator to help resolve the issues and settle on a price/number/resolution. It is not done in a court, it is done with us, the clients, and the opposing side in a private office.

## Negotiations:

Most cases are negotiated and settled by the lawyers. We require client participation and of course advise the client on when to settle.

## Authority to Settle:

Unless given prior permission we need the client's approval and signature to settle on a case. Once signed and paid, ALL ISSUES ARE RESOLVED and no more action can be taken for any past liabilities.