RESOLUTION OREGON

Housing Stability Mediation in Jackson County:

Outcomes for Tenants, Landlords, and Courts

November 2026

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Resolution Oregon is hosted by:

UNIVERSITY OF OREGON | School of Law

Executive Summary

This analysis examined a random sample of 245 eviction cases from Jackson County filed between July 2024 and June 2025 to assess the impact of housing stability mediation.

Key Findings

Housing stability mediation frequently resulted in negotiated resolutions benefiting both tenants and landlords.

Nonpayment-of-rent cases were particularly likely to resolve through mediation. Among reviewed cases, 79% of nonpayment cases reached agreement, compared with 65% of cases filed for other eviction grounds. Among nonpayment cases that reached agreement, 71% included pay-and-stay terms that allowed tenants to remain housed while addressing rental arrears. These agreements typically involved repayment of approximately $2,250 over 72 days.

Cases resolved through mediated agreements had a 73% compliance rate and were approximately half as likely to result in a writ of execution (sheriff-enforced removal), compared with cases that did not reach agreement.

79%
Agreement Rate in Nonpayment Cases

71%
Pay-and-Stay Agreements
Among nonpayment of rent agreements

Public System Impacts

Applied to the 587 cases mediated in Jackson County during FY 2025, housing stability mediation is estimated to have preserved 192 trial hours, and approximately $73,000 in court resources.

73%
Agreement Compliance Rate

Conclusion

The findings are consistent with national research indicating that housing stability mediation can increase negotiated resolutions, reduce forced removals, support housing stability, and preserve court resources.

As Oregon continues to address housing and court-capacity challenges, housing stability mediation appears to be a cost-effective strategy that benefits tenants, landlords, courts, and communities alike.

50% Lower
Writs-of-execution rate following mediation agreements

Introduction

The Challenge

Tenants, landlords, courts and communities continue to struggle with the high cost of eviction. Tenants and landlords are often required to make consequential decisions under compressed timelines while courts must manage high-volume dockets within statutory deadlines and finite judicial resources.

> *"Mediation helped find a resolution. I did not wish to put any children out on the street"*
>
> *- Landlord's agent*

For both tenants and landlords, the eviction process can have long-lasting consequences. Once an eviction case is filed and served, tenants must navigate court procedures, submit filings, and manage accelerated timelines that leave little opportunity to secure resources, explore alternatives, or plan thoughtful housing transitions. Landlords must balance the need to recover possession of the property or unpaid rent with the reality that an eviction may result in the tenant experiencing houselessness and other long-lasting consequences for the tenant household.

The effects of eviction extend beyond the parties directly involved. Communities and public systems may experience downstream impacts through increased demand for housing assistance, emergency services, health care, and other public programs. In many cases, the circumstances leading to an eviction begin well before a case is filed and continue long after the court process has ended.

The Opportunity

Oregon courts incorporate mediation into the eviction process to offer parties an opportunity to resolve disputes before trial. Many times, talking in mediation is the first conversation they have had in months. Mediation can be offered as a voluntary step or be a required first step before a trial is held.

Mediation provides a structured and confidential process for parties to discuss the dispute, exchange information, and explore potential resolutions with assistance from a neutral third party. Mediation often allows for agreements to include payment plans, negotiated move-outs, and other terms that a judge cannot facilitate. Research has consistently

Map A: Circuit and Justice Courts Offering Landlord-Tenant Mediation



found that mediation participants report high levels of procedural fairness and satisfaction, even when no agreement is reached.

An existing network of Community Resolution Centers provide mediation to pre-filing landlord-tenant cases in 24 counties. The findings presented in this report build upon earlier statewide research from the Eviction Prevention Mediation Demonstration, which found that mediation was associated with increased negotiated resolutions and reductions in default judgments. Map A shows three approaches currently used across Oregon: 10 counties where courts administer post-filing mediation at first appearance, seven counties where courts partner with Community Resolution Centers to provide mediation services at low or no cost, and 19 counties where courts do not offer landlord-tenant mediation.

Why Jackson County?

This analysis focuses solely on the 1st Judicial District located in Jackson County, OR. This court was selected because it has a well-established mediation program that is integrated into the court process, most non-default cases are referred to mediation at first appearance, and court records that permit outcome analysis are publicly available.

Map B: 1st Judicial District Jackson County, OR



Current Mediation Program

In Jackson County, OR, housing stability mediation is provided at first appearance at no-cost to the parties, and most cases are referred to mediation, except for default cases. Mediations are typically held in small conference rooms at the courthouse immediately after the First Appearance.

Resolve Center for Dispute Resolution and Restorative Justice is a 501(c)(3) nonprofit organization that has partnered with Jackson County Circuit Court Since 1992 and has been contracted to provide housing stability mediation services at first appearance since 2004. In addition to housing stability mediation, Resolve provides mediation services for small claims, neighbor to neighbor, family, and workplace disputes; administers restorative justice programs; and offers professional and community education in mediation and restorative justice. Each year, Resolve serves more than 3,600 community

members through over 1,200 cases and provides educational programming to more than 610 youth and 275 adults.

Data Sources

Settlement Agreements Reviewed

Using publicly accessible data from OJCIN (Oregon Judicial Case Information Network), Resolution Oregon reviewed case logs and settlement agreements from 245 cases filed between July 1, 2024, and June 30, 2025. Of these cases, 188 (76.7%) involved nonpayment of rent, while 57 (23.3%) involved other eviction grounds.

> *"It was great to connect on a human level rather than just a case number."*
>
> *- Housing Stability Mediation Participant*

The sample was randomly selected from a population of 587 eligible cases. At a 95% confidence level, a sample size of 245 cases yields an approximate margin of error of ±4.8%, indicating that the sample is likely reflective of the broader eligible case population. To provide context for the timing and resource demands associated with eviction litigation, Resolution Oregon also reviewed Oregon Judicial Department data regarding landlord-tenant trials in Jackson County.



Illustrative Case Example
Resolving a Habitability Dispute Through Mediation

A landlord filed an eviction action seeking unpaid rent from a tenant who withheld rent due to an alleged rat infestation and other habitability concerns. The tenant, represented by legal aid, disputed the filing and argued that rent should remain withheld until the issues were addressed.

Over three mediation sessions, the parties worked through disagreements regarding pest control, property conditions, and rent obligations. Rather than proceeding to trial, they reached an agreement requiring additional extermination efforts, inspection of potential rodent entry points, carpet cleaning, and other corrective actions. The tenant agreed to resume rent payments once the agreed-upon repairs were completed and conditions improved.

The parties ultimately resolved the dispute without trial, preserved the tenancy, and agreed upon steps to address both the habitability concerns, and future rent payments. This case illustrates how mediation can help resolve disputes involving ongoing relationships and issues extending beyond the legal questions presented in an eviction filing.

Key Data from Oregon Judicial Department for Jackson County

- The average time from filing to a landlord tenant trial is 36.12 days.
- The average landlord-tenant trial lasts 25.57 minutes (0.43 hours).

What Prior Mediation in Eviction-Diversion Programs Suggests

Prior research on eviction mediation and eviction-diversion programs has found that these programs are associated with:

- Increased negotiated settlements and voluntary dismissals.
- Reduced eviction judgments and formal removals.
- Reduced court workload and case backlogs through resolution outside formal litigation.

The Jackson County findings were generally consistent with these outcomes.

Key Findings

Agreement Rates

Among the 245 cases reviewed, 186 (76%) resulted in a mediated settlement agreement. Agreement rates were higher in nonpayment-of-rent cases (79%) than in cases involving other eviction grounds (65%). These findings suggest that most landlord-tenant disputes entering housing stability mediation can be resolved without trial.

Filing Type	Agreement Rate
Nonpayment of Rent	79%
Other Grounds	65%
All Cases	76%

Why Nonpayment Cases May Be Particularly Well-Suited to Mediation

Nonpayment-of-rent cases may be especially well-suited to housing stability mediation because the underlying dispute often centers on a known dollar amount and a range of potential solutions. Parties can explore repayment plans, rental assistance, partial payments, negotiated move-out timelines, or combinations of these options.

At the same time, the amount of rent owed is often only one component of the dispute. Housing stability mediations frequently reveal additional issues, such as communication

breakdowns, habitability concerns, changes in household income, family transitions, or misunderstandings regarding lease obligations. Addressing only the amount owed may leave these underlying issues unresolved, increasing the likelihood that conflict continues even after the immediate payment dispute is addressed. Mediation provides an opportunity to identify and discuss both the financial and non-financial factors contributing to the filing, while allowing parties to create agreements that address future obligations and performance for up to three months.

By contrast, cases involving lease violations, repeated disturbances, property damage, or other grounds for eviction may offer fewer mutually acceptable pathways to resolution. The higher agreement rates observed in nonpayment cases may reflect the greater availability of practical solutions that address both parties' interests.

Compliance Rates

Reaching an agreement is only valuable if parties can comply with it. Among the 186 mediated agreements reviewed, 73% had no subsequent court filings, suggesting that most agreements were completed without further court intervention.

73%
Agreement Compliance Rate

Writs of Execution

When a tenant does not vacate a property as ordered by the court, a landlord may obtain a writ of execution authorizing the sheriff to remove the tenant from the property. Such removals can be disruptive and carry risks for everyone involved, including tenants, landlords, and law enforcement officers. They may also indicate that a tenant has been unable to secure alternative housing before the move-out deadline.

Among the cases reviewed, mediation was associated with a substantially lower rate of writs of execution. Of the cases resolved through a mediated settlement agreement, 17.7% (33 out of 186 cases) resulted in a writ of execution, compared with 35.6% (21 out of 59 cases) that did not reach a mediated agreement. Cases without a mediated agreement were 2 times more likely to result in a writ of execution. This finding suggests that mediation may help parties reach resolutions that reduce the likelihood of a forced removal by law enforcement.

50% Lower
Writs-of-execution rate following mediated agreements

Disposition of Cases Without Mediated Agreement

Not all cases that entered mediation resulted in a signed settlement agreement. Among the 59 reviewed cases that did not reach agreement during mediation, 24 (41%) resulted in a

judgment awarding possession to the landlord following trial. The remaining cases concluded through other outcomes, including dismissals, payment of rental arrears, later-filed stipulated agreements, judgments in favor of the tenant, and plaintiff default judgments.

These findings indicate that the absence of a mediated agreement did not necessarily result in a trial judgment awarding possession to the landlord. Many cases continued to evolve after the mediation session and were ultimately resolved through other means. These findings indicate that cases not reaching agreement during mediation often continued toward resolution through other pathways.

Outcomes of Cases That Did Not Reach a Mediated Agreement (n = 59)

Outcome	Count	Percent
Plaintiff wins after trial	24	40.7%
Defendant wins after trial	4	13.6%
General dismissal	8	11.9%
Defendant default dismissal	7	8.5%
Rental assistance/payment cured case	5	6.8%
Stipulated agreement later filed	4	6.8%
Plaintiff dismissal	3	5.1%
Plaintiff default possession judgment	3	5.1%
Other	1	1.7%

Pay-and-Stay Agreements

Tenants often fall behind on rent because of a temporary financial disruption, such as an unexpected expense, reduced work hours, a job transition, or a gap before rental assistance becomes available. Pay-and-stay agreements allow tenants to remain housed while repaying rental arrears over time.

During the reviewed period, 106 cases (71.1%) involving nonpayment of rent resulted in a pay-and-stay agreement that allowed the tenant to remain in the home while addressing past-due rent. While compliance rates were lower than negotiated move-out agreements, a majority of pay-and-stay agreements were completed without

79%

Agreement Rate in Nonpayment Cases

71% Pay and Stay
28% Move-out

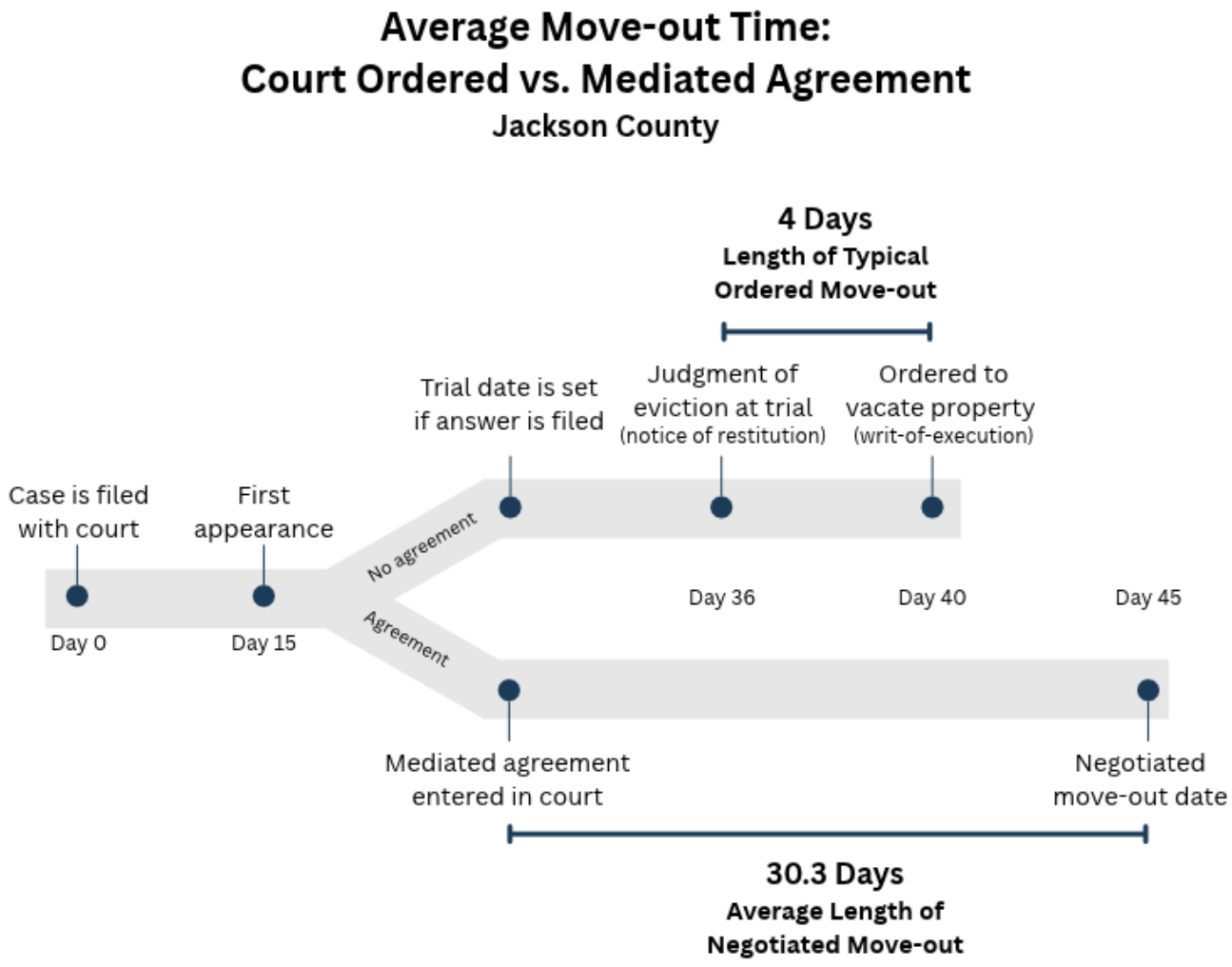
further court intervention, suggesting that many households were able to stabilize temporary financial disruption.

The average repayment amount was $2,250, to be repaid over an average of 71.5 days (2.3 months). The prevalence of pay-and-stay agreements suggests that some nonpayment cases may reflect temporary financial disruptions rather than persistent housing instability.

> *"I was nervous and stressed but after mediation, I feel much better."*
>
> *- Housing Stability Mediation Participant*

Housing Transition Time

Due to changes in employment, unexpected expenses, family needs, or other financial challenges, some tenants find that their current housing arrangement is no longer affordable. Securing new housing can be time-consuming, particularly when households are simultaneously navigating eviction proceedings.



At first appearance, some tenants and landlords recognize that maintaining the tenancy is no longer feasible and that a housing transition is likely. Mediation provides an opportunity for the parties to negotiate move-out timelines that extend beyond the timeframe typically available through the court process. These negotiated timelines provided an average move-out date approximately 30.3 days after first appearance. The additional time helps tenants secure housing and manage the practical demands of a move, while reducing the uncertainty associated with ongoing litigation. For landlords, a known move-out date can facilitate planning for unit turnover, reduce uncertainty associated with continued litigation, reduce the likelihood that personal property remains in the unit after move-out, and increase the likelihood that the property is vacated in an orderly manner.

Among the cases reviewed, the average negotiated move-out period following first appearance was 30.3 days, resulting in an average move-out date approximately 45 days after the case was filed with the court. By comparison, the average time to a landlord-tenant trial in Jackson County is 36 days, or 21 days after first appearance. Following a judgment for possession, tenants are generally provided four days to vacate the property. Based on these timelines, negotiated move-out agreements provided tenants, on average, approximately five additional days before vacating the property.

> **20% More**
> Time to Secure New Housing

> *"Process was efficient and effective. I'm happy with the outcome."*
>
> *- Housing Stability Mediation Participant*

While the average additional time was modest, mediation move-out agreements provide a known transition timeline and avoided the uncertainty of continued litigation. Compared with the typical trial timeline in Jackson County, negotiated move-out agreements provided tenants with approximately 20% more time before vacating the property (30 days versus 25 days after first appearance).

In addition to outcomes for tenants and landlords, mediation may affect how courts allocate limited judicial resources.

Court Resource Methodology

Court resource estimates were calculated using Oregon Judicial Department trial-duration data and an estimated judicial resource cost of $381 per trial hour. Detailed assumptions and calculations are provided in Appendix A along with Trial Cost Calculations in Appendix B.

Court Resource Effects

Among all the cases reviewed, 76% resolved without trial. Applying the observed settlement rate to the 587-housing stability mediation conducted in Jackson County during the Fiscal Year 2025 suggests that mediation preserved:

- 192 trial hours
- $73,088 in trial-related resources (estimated)

These estimates should be interpreted as measures of judicial capacity made available for other court functions rather than direct budget savings.

76%
Of all cases resolved without a trial

192
Trial Hours

$73,000
Court Resources

Limitations

Several limitations should be considered when interpreting these findings.

- This analysis examines cases from a single judicial district. Outcomes may differ in jurisdictions with different mediation programs, court procedures, additional city and/or county eviction laws, housing markets, or population characteristics.
- Because this study relies on observational case review rather than a randomized controlled trial, the findings identify associations rather than proving causation. Other factors, including legal representation, rental assistance, additional city and/or county eviction laws, or case-specific circumstances, may contribute to the outcomes observed.
- Estimates of preserved court resources are illustrative and rely on assumptions described in this report. They should be interpreted as estimates of potential system impacts rather than direct budget savings.
- Cases referred to mediation may differ from cases that never reached mediation, including default cases, which may influence outcomes.
- Housing outcomes following case closure were not tracked. As a result, this analysis cannot determine long-term housing stability after a mediated agreement or move-out.

“Mediator was patient and helped me prevent losing my house.”

- Tenant

Potential Policy Opportunities

The findings suggest several opportunities for further examination:

- Maintain or expand access to early housing stability mediation.
- Strengthen connections between community resolution mediation programs, rental assistance providers, and legal aid, recognizing that the integration of these services is a commonly identified national best practices for eviction diversion programs (Harvard Negotiation and Mediation Clinical Program, 2021).

Conclusion

The review of 245 Jackson County eviction cases suggests that housing stability mediation was associated with high agreement rates, frequent use of pay-and-stay agreements in nonpayment cases, lower rates of writs-of-execution, and additional time for in housing transition time when tenancy could not be preserved. Among the randomly selected cases reviewed, 76% resulted in a mediated agreement, and 73% of mediated agreements showed no subsequent court filings.

By reducing the number of cases proceeding to trial, housing stability mediation appears to preserve judicial capacity while supporting negotiated resolutions between tenants and landlords. These findings are generally consistent with prior research on eviction-diversion and housing stability mediation programs.

Resolution Oregon

Resolution Oregon, administered by the University of Oregon School of Law, oversees the state's Community Dispute Resolution Program pursuit to ORS 36.100–36.175. The program strengthens Oregon's network of Community Resolution Centers by awarding state-funded grants authorized under ORS 36.155.

Beyond grant administration, Resolution Oregon provides statewide oversight of grantee performance through service metrics, financial reporting, and participant feedback, ensuring transparency, accountability and consistency in service quality. Resolution Oregon also functions as Oregon's central repository for community mediation data, supporting research, program evaluation, and data-informed policy development.

Through this statewide infrastructure, Resolution Oregon advances accessible, community-based approaches to conflict resolution and helps ensure that mediation services, including housing stability mediation, are widely available, high-quality, and responsive to the needs of local communities.

Acknowledgments

Jackson County case logs and settlement agreements were reviewed by Sofi Hart, Resolution Oregon Program Assistant. This analysis would not be possible but for her detailed review of the data and integrity of the process.

Thank you to Talia Trout, Brian Graunke, and Makayla Boscia from Resolve Center for Dispute Resolution and Restorative Justice for their consultation on the mediation process in Jackson County.

I am deeply grateful to the mediators who dedicate their time and professional skill to supporting community members through challenging disputes. Their dedication and expertise are central to the outcomes described in this report.

All hearing-capacity estimates, cost calculations, garnishment modeling, return-on-investment analyses, interpretations, conclusions, and any errors are solely those of the author and do not necessarily reflect the views of the Oregon Judicial Department, the University of Oregon School of Law, or any Community Resolution Center.

Research and Literature Reviewed

Harvard Negotiation and Mediation Clinical Program. (2021). *Designing for housing stability: Best practices for court-based and community-based eviction diversion*. Harvard Law School.

Heinrichs, A., & Treskon, M. (2023). *Diverting Eviction-Related Cases Away from Courts*. Urban Institute.

National Center for State Courts. (2024). Reimagining housing court: A framework for eviction diversion. Eviction Diversion Initiative.

Oregon Judicial Department. *2025 Cases Tried Trial Metrics.* Reports, statistics, & performance measures. State of Oregon.

Sponsler, P. (2023). *Eviction prevention mediation demonstration: Final impact report*. Resolution Oregon, formerly Oregon Office for Community Dispute Resolution, University of Oregon School of Law. Scholars' Bank, University of Oregon.

Appendix A: Court Resource Methodology

The reported agreement rates can be used to estimate effects on court resources. Since average trial hours for landlord-tenant trials is publicly reported, this analysis used those values to estimate the cost of trial as well as the cost savings by using a mediation first system. This value does not include court costs from first appearance, not any potential trial costs.

The resulting estimate should not be interpreted as budget savings that would be immediately realized by reducing trials. Rather, it serves as a measure of judicial branch resources devoted to trial activity and the judicial capacity that may be redirected to other court functions.

Hearing Hour Assumptions

Compensation for court employees was drawn from multiple sources. The full chart and citations are attached in Appendix A. Oregon circuit court judges receive legislatively approved salaries, and the annual salary for a circuit court judge was updated during the 2025 Legislative session.

Court Clerk and Case Management salaries are not publicly posted. Salary estimates for clerk/administrative support and case management staff are intended to represent typical Oregon Judicial Department personnel supporting circuit court operations. These figures should be viewed as illustrative rather than actual compensation for any specific position.

Benefits and payroll costs are estimated to be 40% of salary to reflect the full cost of employment, including retirement, health insurance, payroll taxes, leave, and other employer-paid benefits.

Cost-per-hour Methodology

This estimate uses a cost-per-hour methodology to approximate Oregon Judicial Department resources associated with one hour of circuit court trial time. The calculation includes: (1) judicial compensation, (2) clerk and administrative support, (3) case management and docketing support, and (4) facility and administrative overhead.

Annual salaries are converted to hourly costs by adding estimated employer-paid benefits and payroll costs and dividing total compensation by annual productive work hours. Direct labor costs are then combined with an allocation for indirect costs, including facilities, technology, security, records management, and administrative support.

The resulting figure represents the judicial branch resources required to support one hour of small claims trial activity. It is intended as an illustrative measure of resource costs rather than an accounting of actual expenditures for any case or court.

Judicial Capacity Calculations

Trial hours are calculated by multiplying the average trial time per case by the total number of cases.

Estimated Judicial Branch Resources Preserved are calculated as:

- Total Cases;
- Multiplied by the mediation agreement rate;
- Multiplied by the average trial duration;
- Multiplied by the estimated judicial cost per trial hour.

This estimate assumes that cases reaching agreement through mediation avoid a trial.

Appendix B: Hearing Cost Calculations

Estimated Judicial Branch Cost of One Hour of Trial Time in Oregon Circuit Courts

This estimate is intended to illustrate the approximate Oregon Judicial Department resources devoted to one hour of circuit court trial time. Actual costs will vary by case type, hearing length, staffing levels, and local court operations.

Total Estimated Cost per Trial Hour

$381

Judicial Time	$ 159
Clerk and Administrative Support	$ 45
Case Management and Docketing Support	$ 78
Facility and Administrative Overhead	$ 99

CALCULATIONS

	Description	*Value*
	Judicial Time Assumptions	
1	Annual Salary	$ 204,060
2	Benefits & Payroll Costs	40%
3	Total Compensation	$ 285,684
4	Annual Productive Work Hours	1,800
5	**Hourly Cost**	**$ 159**
	Clerk and Administrative Support	
6	Annual Salary	$ 57,500
7	Benefits & Payroll Costs	40%
8	Total Compensation	$ 80,500
9	Annual Productive Work Hours	1,800
10	**Hourly Cost**	**$ 45**

	Case Management and Docketing Support		
11	Annual Salary	$	100,278
12	Benefits & Payroll Costs		40%
13	Total Compensation	$	140,389
14	Annual Productive Work Hours		1,800
15	**Hourly Cost**	**$**	**78**
	Facility, Technology, and Administrative Overhead		
16	Indirect Cost Allocation (50% of Direct Labor Costs)	$	79
17	Indirect Cost Allocation (75% of Direct Labor Costs)	$	119
18	**Average Allocated Facility & Admin Overhead**	**$**	**99**
19	**Estimated Judicial Branch Resource Cost Associated with One Hour of Circuit Court Trial Time**	**$**	**381**

Data Sources

Judicial Salary Data: HB 2712 A Budget Report and Measure Summary
https://apps.oregonlegislature.gov/liz/2025R1/Downloads/CommitteeMeetingDocument/308829

Oregon Judicial Department budget materials
https://www.oregon.gov/das/HR/Pages/cc.aspx

State Compensation Data: Oregon DAS Salary & Benefits Report
https://www.oregon.gov/das/HR/Documents/2024-S%26B-Report.pdf

Assumptions

2, 7, 12	Benefits and payroll costs are estimated at 40% of salary to reflect the full cost of employment, including retirement, health insurance, payroll taxes, leave, and other employer-paid benefits.
6,11	Salary estimates for clerk/administrative support and case management staff are intended to represent typical Oregon Judicial Department personnel supporting circuit court operations. These figures should be viewed as illustrative rather than actual compensation for any specific position.
4, 9, 14	Productive hours are estimated at 1,800 hours annually.
16, 17, 18	Indirect costs include facilities, security, technology, records management, and administrative support. Indirect costs are estimated using an allocation methodology equal to 50% to 75% of direct labor costs. The midpoint estimate of $99 per hour is used in the total cost calculation.
19	This estimate assumes a hearing hour is associated with approximately one hour of judicial, clerk, and case management resources. Actual resource utilization may vary by case type, staffing needs, and local court operations.