

# Case Management Conferences (Debt Collection Cases)

## What is a Case Management Conference (CMC)?

A CMC is a meeting at the court. Everyone who is part of the case must attend. It is a quick check-in with the judge to talk about the next steps and court dates. The judge might set the trial date, but **THIS MEETING IS NOT A TRIAL!**

## Where is the CMC?

The court sends out a notice with the date, time and location of the CMC. The CMC might not be with the same judge who normally hears the case, or even in the same courthouse.

In San Mateo County you can attend the CMC by Zoom or in person. To find the Zoom link, look at the judge's name or "Department" on the notice you received and go to this website and click on their name: <https://sanmateo.courts.ca.gov/divisions/civil-division/civil-department-judges>

## What Do I Do to Prepare for a CMC?

Everyone who is part of the case is supposed to fill out a **CASE MANAGEMENT STATEMENT** (CMC-110) and file it with the court **at least 15 days before** the CMC. You might have received a blank copy of this form already, but you can also find it online, here:

<https://courts.ca.gov/sites/default/files/courts/default/2024-11/cm110.pdf>

You need to have someone, over the age of 18, mail the document to the lawyers for the other side and sign a **PROOF OF SERVICE** (POS-030), which you can find online here:

<https://courts.ca.gov/sites/default/files/courts/default/2024-11/pos030.pdf>

You then file both the CMC-110 and the POS-030 in-person here:

**Civil Clerk**  
**400 County Center**  
**Redwood City, CA**

## What happens at a Case Management Conference?

The CMC is a check-in with the judge, who will want to know what is going on in the case. It is not supposed to be about anything else. These are some questions the judge might ask:

### **ARE YOU WILLING TO PARTICIPATE IN ADR (APPROPRIATE DISPUTE RESOLUTION)?**

In San Mateo, the court strongly encourages everyone in a civil case to participate in ADR and sign an agreement to do so with the other side. If you do not want to do ADR, it is important to say so to the judge very clearly. The debt collector will be represented by an attorney in this process, just like at court hearings.

ADR is a process where the parties in a lawsuit try to come to an agreement about how to resolve the case instead of going to trial. Judicial arbitration is like a mini-trial in front of someone who is not the judge in your case—or even a judge at all—with more simplified procedures. Mediation and settlement conference are both meetings where a neutral third party helps you and the other side come to an agreement. More information about the different kinds of ADR can be found here:

[https://sanmateo.courts.ca.gov/system/files/local-forms/adr-cv-8\\_court\\_adr\\_information\\_sheet.pdf](https://sanmateo.courts.ca.gov/system/files/local-forms/adr-cv-8_court_adr_information_sheet.pdf)

### **DO YOU OWE THIS DEBT?**

A CMC is not a trial, and people are not testifying as witnesses under oath. However, it is still possible that the judge may ask this question or something like it.

It is helpful to remember that there are many reasons a person might doubt the other side's claims. For example, if the plaintiff is a debt buyer, or a company the consumer does not recognize, the consumer may not know whether that company has the right to sue on that debt. The consumer may be unsure if the amount listed in the Complaint is correct, or whether the interest and fees were calculated correctly. A person must always be truthful in court, which includes saying "I don't know," or "I'm not sure", when they do not know or are not sure. A defendant may also want to say they would like to consult with an attorney before answering a question.

The CMC is not the place to explain to the judge why you were unable to keep up with payments on credit cards or other details about your personal financial situation. This might be something to talk about outside of court, as part of negotiating a settlement. But in court, the main issue the judge will be focused on is whether the defendant admits they owe money to the plaintiff.

The judge may also encourage the parties to talk outside the court about coming to a settlement. Even if you decide to talk to the other side, nobody needs to agree to a settlement they cannot afford.

### **OTHER QUESTIONS**

The judge may ask additional questions about what is going on in the case. A person must always be truthful in court, which includes saying "I don't know," or "I'm not sure", when they do not know or are not sure.

- Has everyone been served and have all the defendants answered?
- What kind of 'discovery' (gathering evidence) does everyone need?
- When will everyone be ready for trial?