

Cause No. _____

_____	§	IN THE DISTRICT COURT OF
_____	§	
_____	§	
_____	§	DENTON COUNTY, TEXAS
_____	§	
_____	§	
_____	§	_____ JUDICIAL DISTRICT

ORDER OF REFERRAL TO MEDIATION

The above referenced case is referred to mediation in accordance with the Texas Civil Practices and Remedies Code and/or the Texas Family Code.

The **Denton County ADR Program (DCAP)** is appointed to mediate in this case, and all counsel are ordered to contact DCAP to arrange the logistics of mediation within ten business days. **DCAP's** address and telephone number are as follows:

512 W. Hickory, Ste. 202
Denton, Texas, 76201
(metro) 940.320.1500
(metro fax) 940.320.1502
(email) mhouston@dentonbar.com

This mediation is a mandatory settlement conference, conducted with the assistance of the mediator. A mediated settlement agreement can be made binding on the written agreement of the parties. Mediation is private, confidential, and privileged, except as provided by applicable law. After mediation, the Court will be advised by the mediator, the parties, and counsel only that the case did or did not settle. The mediator shall not be a witness, and the mediator's records may not be subpoenaed or used as evidence. No subpoenas, citations, writs, or other process shall be served at or near the location of any mediation session on any person entering, leaving, or attending any mediation session. Each party and counsel will be bound by any rules for mediation furnished by the mediator and shall complete and supply all information requested by the mediator.

IT IS ORDERED that all named parties shall be present during the entire mediation process and that each corporate party must be represented by an executive officer with authority to negotiate a settlement. Counsel and parties are **ORDERED** to proceed in a good-faith effort to try to resolve this case and shall agree on a mediation date within the next 10 days. If no agreed date can be scheduled within the next 10 days, the mediator shall select a date for the mediation and all parties are **ORDERED** to appear as directed by the mediator. Any date so scheduled by the mediator is incorporated in this Order as the date on which the mediation shall occur. In any event, the mediation shall be conducted no later than 45 days from the date this order is signed.

Referral to mediation is not a substitute for trial, and the case will be tried if not settled.

____ **Level 1.**

_____, petitioner/movant/plaintiff, has been judicially determined by this court to be indigent. Mediation will be conducted at no charge to this individual.

_____, respondent/defendant, has been judicially determined by this court to be indigent. Mediation will be conducted at no charge to this individual.

____ **Level 2. Family Law:** The net value of the estate/resources of the parties is less than \$100,000.00; **Civil Law:** the amount in controversy is less than \$100,000.00.

(Check One):

____ The cost of mediation is \$150.00 per side for all parties.

____ _____ has been judicially determined to be indigent. The \$150.00 mediation fee will be charged to _____ only.

____ Both sides of the mediation fee (\$300.00) will be charged to _____.

____ **Level 3. Family Law:** The net value of the estate/resources of the parties is more than \$100,000.00 but less than \$500,000; **Civil Law:** the amount in controversy is more than \$100,000.00 but less than \$500,000;

(Check One):

____ The cost of mediation will be \$900.00 per side.

____ Both sides of the mediation fee (\$1,800.00) will be charged to _____.

____ **Level 4. Family Law:** The net value of the estate/resources of the parties is over \$500,000.00; **Civil Law:** the amount in controversy is over \$500,000.00.

(Check One):

____ The cost of mediation will be \$1,500.00 per side.

____ Both sides of the mediation fee (\$3,000.00) will be charged to _____.

SIGNED on _____.

JUDGE PRESIDING

CAUSE NO. _____

Certification of Amount in Controversy or Net Estate

I hereby certify to the best of my knowledge, that the above level correctly reflects my client's amount in controversy or the net estate for this cause of action as follows:

- _____ 1) My client is indigent
- _____ 2) Less than \$100,000.00
- _____ 3) \$100,000.00 to \$500,000.00
- _____ 4) Greater than \$500,000.00

Signed on the _____ day of _____, 200__.

Attorney for Petitioner

This case is referred to **DCAP** at the following level or combination of levels if one party is indigent and the other is not:

Certification of Amount in Controversy or Net Estate

I hereby certify to the best of my knowledge, that the above level correctly reflects my client's amount in controversy or the net estate for this cause of action as follows:

- _____ 1) My client is indigent
- _____ 2) Less than \$100,000.00
- _____ 3) \$100,000.00 to \$500,000.00
- _____ 4) Greater than \$500,000.00

Signed on the _____ day of _____, 200__.

Attorney for Respondent

This case is referred to **DCAP** at the following level or combination of levels if one party is indigent and the other is not: