

Cause No. _____

Plaintiff(s)

VS.

Defendant(s)

§
§
§
§
§
§
§

IN THE COUNTY COURT

AT LAW NUMBER _____

BEXAR COUNTY, TEXAS

Order of Referral for Mediation

This case is appropriate for mediation pursuant to TEX. CIV. PRAC. & REM. CODE 154.001, et seq. By agreement of the parties, _____ SBN: _____ **is appointed** Mediator in the above case and all counsel are directed to contact Mediator to arrange the logistics of mediation within three (3) business days.

Mediation is mandatory but non-binding settlement conference, conducted with the assistance of the Mediator. Mediation is private, confidential and privileged from process and discovery. After mediation, the Court will be advised by the Mediator, parties and counsel, only that the case did or did not settle. The Mediator shall not be a witness nor may the Mediator's records 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, upon any person entering, leaving or attending any mediation session.

Fees for the mediation are to be divided and borne equally by the parties unless agreed otherwise, and shall be paid by the parties directly to the Mediator, and shall be taxed as costs. Each party and their counsel will be bound by the Rules for Mediation as adopted by the Civil District Judges in Special Order No. 65291, and shall complete the information forms as are furnished by the Mediator. Mediated cases are private pay with the parties and the mediator.

The Court **ORDERS** that all parties and their counsel must be present during the entire mediation process and each corporate party must be represented by a designated representative with full authority to settle the case. Counsel and parties shall proceed in a good faith effort to try to resolve this case and shall agree upon a **mediation to take place no later than 45 days before trial.**

A violation of the Order shall be punished by contempt of Court, and which is punishable by confinement in the County Jail for up to six (6) months and a fine of up to \$500.00.

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

The selected mediator was:

- Agreed upon by the parties
- Appointed by the Court

In compliance with Senate Bill 1369 and the Texas Government Code §36.004, the Court orders the Clerk to report these fees to the Texas Office of Court Administration.

SIGNED _____ day of _____, 2016.

JUDGE PRESIDING