

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:

525 N. Locust, Denton, Texas, 76202
(metro) 940.320.1500
(metro fax) 940.320.1502.

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.

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

_____ **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.** The net value of the estate/resources of the parties is less than \$100,000.00 or 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.** The net value of the estate/resources of the parties is between \$100,000.00 and \$500,000.00 or the amount in controversy is between \$100,000.00 and \$500,000.00.

(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.** The net value of the estate/resources of the parties is over \$500,000.00 or 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. _____