

Standing Order: Mediation

This Court encourages the resolution of disputes through voluntary settlement procedures, meaningful conversations consistent with the Lawyers' Creed and Alternative Dispute Resolution proceedings. Mediators shall be bound by the applicable rules, regulations, and ethical guidelines promulgated by the Texas Legislature, Texas Supreme Court, and Local Rules as they exist and as they may be amended.

Mediation is a mandatory, non-binding settlement conference, conducted with the assistance of a neutral third-party mediator. MEDIATION SHALL OCCUR NO LATER THAN THIRTY (30) DAYS BEFORE THE INITIAL TRIAL SETTING. 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 be used as evidence. No subpoenas, citations, writs or other processes shall be served at or near the location of any mediation session upon any person entering, leaving, or attending any mediation session.

The mediator shall negotiate a reasonable fee with the parties which shall be divided and borne equally by the parties unless agreed otherwise. The mediator fee shall be paid by the parties directly to the mediator and taxed as costs. Each party and their counsel will be bound by the mediator's rules for mediation, and shall complete the information forms as are furnished by the mediator.

The parties shall submit, as part of the Court's required Scheduling Order for Level 1, Level 2 and Level 3 cases, a section entitled Mediation, which shall contain the following in substantial form:

Mediation

- The parties shall mediate this case no later than thirty (30) days before the Initial Trial Setting, unless otherwise provided by court order. Mediation will be conducted in accordance with the Standing Dallas County Civil District Court Order Regarding Mediation, which is available from the Dallas County ADR Coordinator.
- The mediator has been selected by agreement of the parties. _____ is selected as the agreed-upon mediator. Any mediator substitution requested more than ninety (90) days after the date of this order may only be made by a motion for submission to the court for good cause under extraordinary circumstances.
- The parties have conferred and are unable to agree upon a mediator and request that the mediator be appointed by the Court in accordance with applicable law from the rotation list kept by the Court. In making this request for appointment of a mediator, the parties shall include the following: a brief description of the nature of the dispute, and any novel legal, language, demographic, or other issues the parties desire to have the Court consider in

appointing a mediator. (separate motion may be provided for this purpose). Any mediator substitution requested more than ninety (90) days after the date of this order may only be made by motion for submission to the Court for good cause under extraordinary circumstances.

- One or more of the parties do not believe this case is appropriate for mediation for the following reasons:

Any party seeking an order for mediator shall file an appropriate motion no later than ninety (90) days before the Initial Trial Setting and set it for hearing no later than sixty (60) days before the Initial Trial Setting.

All parties shall contact the mediator to arrange the mediation.

Any qualified person may submit their resume listing education, qualifications, professional experiences, certifications, areas of competency, rates for half-day, and full day mediations, rate scales for mediation services, and whether they wish to be considered for expedited mediations.

The Court will update the rotation list periodically. Resumes of potential mediators submitted to the Court are available in the Court Coordinator's office during regular business hours or by appointment.

Signed this 22nd day of February, 2016

Judge Bonnie Lee Goldstein, 44th Judicial District Court