

MISC. DOCKET NO. 04- 9119

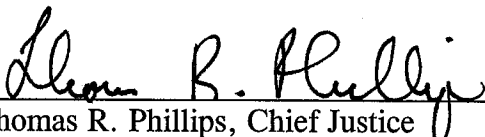
ORDER OF THE SUPREME COURT OF TEXAS

Approval of Local Rules of the District Courts
of El Paso County concerning
Alternative Dispute Resolution

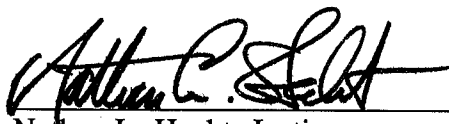
ORDERED that:

Pursuant to Rule 3 of the Texas Rules of Civil Procedure, the attached Local Rules of the District Courts of El Paso County concerning Alternative Dispute Resolution, are approved. This approval is temporary pending further orders of the Court.


In Chambers, this 7th day of June, 2004.



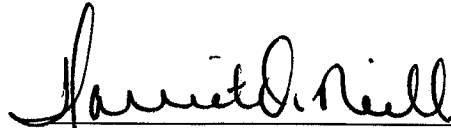
Thomas R. Phillips, Chief Justice

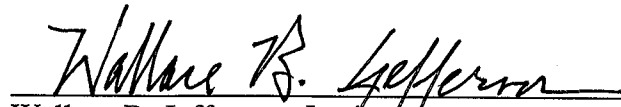



Nathan L. Hecht, Justice

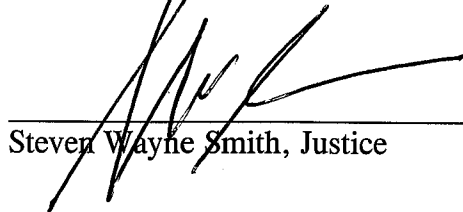


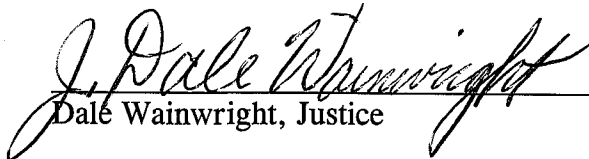
Priscilla R. Owen, Justice

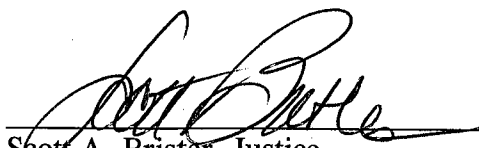

Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Michael H. Schneider, Justice


Steven Wayne Smith, Justice


Dale Wainwright, Justice


Scott A. Brister, Justice

THE FOLLOWING AMENDMENT IS MADE TO THE LOCAL RULES OF EL PASO COUNTY RELATING TO Local Rule 3.16 ALTERNATIVE DISPUTE RESOLUTION.

RULE 3.16: ALTERNATIVE DISPUTE RESOLUTION:

- (A) It is the policy of the El Paso Council of Judges to encourage the peaceful resolution and early settlement of all civil cases. No jury or nonjury trial shall be conducted until all contested issues have been referred to mediation. However, each court may decide that mediation would not be appropriate in a particular case and may therefore, on its own motion, withdraw the case from ADR proceedings. Any party may file a motion objecting to the automatic referral to mediation and if the court finds that there is good cause for the objection, the case may be excused from the automatic referral.
- (B) To enforce this policy, all cases set for trial after September, 2003, are automatically referred to mediation. The mediation proceedings are to take place no later than 30 days before trial, and any certificate of readiness filed by a party shall state the date the mediation is scheduled for.
- (C) The parties shall select a qualified mediator and in the event that the parties cannot agree on a selection the court shall make a selection from a list of qualified mediators or refer the case to the El Paso County Dispute Resolution Center. The mediator selected shall provide to the court a report as to whether or not a settlement was obtained and a statement of the mediation fees charged to the parties.
- (D) This rule shall apply to non-Family Code, civil cases only. Cases filed under the Texas Family Code shall be governed by the applicable provisions therein.

ADOPTED THIS 26TH DAY OF JUNE, 2003.



JUDGE WILLIAM E. MOODY
LOCAL ADMINISTRATIVE JUDGE

APPROVED THIS 26th DAY OF August, 2003.



JUDGE STEVEN ABLES
REGIONAL PRESIDING JUDGE

APPROVED THIS 26th DAY OF August, 2003, BY THE TEXAS SUPREME COURT.