

MEDIATION INSTRUCTIONS FOR CASE PARTIES

For Fort Bend County Justice of the Peace, Precinct 4

Your case has been referred to mediation. A Mediator has been appointed to your case and the parties are hereby **ORDERED** to attend a mediation session at our location.

Mediation is a mandatory, non-binding settlement conference, conducted with the assistance of a Mediator. Mediation is private, confidential, and privileged from process and discovery. After mediation, the Court will be advised 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 will be served at or near the location of any mediation session, upon any person entering, leaving or attending any mediation session.

All parties and their counsel will be bound to complete any information forms that are required by the Mediator.

All parties named are required to be present during the entire mediation session. A business entity must be represented by an executive officer or other representative with the authority for full settlement.

Rescheduling and Cancellation: In the event a party desires to reschedule the mediation hereby ordered, he must do so by contacting the opposing party and file an Agreed Motion for Continuance (signed by all parties) with the court at least 5 days prior to their scheduled date/time.

Mediation can only be cancelled if the case is settled. In the event of cancellation due to settlement, parties shall provide the court an Agreed Judgment or Plaintiff's Motion to Dismiss.

Following Mediation Session: If the Mediation is unsuccessful and the parties are unable to reach a settlement agreement (also known as an Impasse), then the court will move the case to Trial at a later date. All parties will be notified of the trial date, via mail, 2 to 3 weeks prior to the court setting.

If the Mediation is successful, the Plaintiff(s) and/or Cross Plaintiff(s) are responsible for moving to dismiss the cause or case. Failure to do so, may result in subsequent court appearances such as Dismissal Docket.

Thanks for your cooperation.