

CAUSE NO. _____		
IN THE MATTER OF	§	IN THE DISTRICT COURT
THE MARRIAGE OF	§	
_____	§	
AND	§	
_____	§	_____ JUDICIAL DISTRICT
AND IN THE INTEREST OF	§	
_____	§	
MINOR CHILDREN	§	COLLIN COUNTY, TEXAS

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 **Collin County Alternative Dispute Resolution Program (CCAP)** is appointed to mediate in this case, and all counsel and parties (if not represented by counsel) are ordered to contact CCAP to arrange the logistics of mediation within seven (7) days from the date of this Order. CCAP's email address and telephone number are as follows:

This mediation is a mandatory settlement conference, conducted with the assistance of the mediator. If an agreement is reached in mediation, a mediated settlement agreement is signed at the mediation. A mediated settlement agreement is 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 shall 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 and lead attorneys 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 (if applicable). 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 10 days following the date of this Order. If no agreed date can be scheduled within the 10 days, CCAP shall select a date for the mediation, and all counsel and parties are ORDERED to appear as directed by CCAP. Any date so scheduled by CCAP is incorporated in this Order as the date on which the mediation shall occur. Referral to mediation is not a substitute for trial, and the case will be tried if not settled.

IT IS FURTHER ORDERED that all the parties do the following:

1. **Safety Notification:** Notify CCAP via email at contact@collinadr.com at least 21 days before the date of mediation, or immediately upon entry of this Order if the mediation is scheduled less than 21 days from the date of this order, if there is any allegation, by either party, of domestic violence having been committed by either party, or any person attending the mediation, or if there is any reason the party believes his or her personal safety would be in jeopardy at mediation if mediation is conducted in person.
2. **Fees:** Pay the mediation fee assessed herein prior to, or concurrently with, the scheduling of the mediation which shall occur within ten (10) days from the date of this Order. IT IS ORDERED that, if a cause of action is brought under the Texas Family Code and if Exhibit A indicates a higher mediation level/fee for any party to the mediation, CCAP shall assess the fee indicated prior to, or on the date of, mediation and mediation shall not commence until said additional fee has been paid. IT IS SPECIFICALLY ORDERED that CCAP is under no obligation to schedule the mediation until the assessed fee is paid, or to continue with the mediation if it is discovered during the mediation that the levels of the parties are different than the levels indicated in the order of referral and the additional fee is not timely paid.
3. **Summary Inventory:** Complete the Summary Inventory, attached hereto as “**Exhibit A**”, and email the same to CCAP at contact@collinadr.com for all cases brought under the Texas Family Code within ten (10) days from the date of this Order. Each party is ORDERED to complete a separate “**Exhibit A**”. IT IS ORDERED that CCAP is under no obligation to schedule the mediation until the attached “**Exhibit A**” is received by CCAP. IT IS ORDERED that, if the case being submitted to mediation at CCAP is a divorce action, and the parties' Summary Inventories indicate different mediation levels because of disputed valuations of one or more assets, the higher valuation shall control the mediation level for both parties.

MEDIATION LEVELS

IT IS ORDERED that, solely for the purpose of determining the applicable mediation level and assessing mediation fees, the term "net value of the estate/resources" shall be determined separately for each party in all cases (including divorce, modification, SAPCR, and other actions under the Texas Family Code) by subtracting that party's self-reported liabilities from that party's self-reported assets, regardless of whether such assets or liabilities are claimed as community, separate, or mixed property, as reflected in that party's Certification of Net Value of Estate/Resources (Exhibit A).

IT IS FURTHER ORDERED that the mediation level assigned pursuant to this Order is based solely upon the self-reported information contained in each party's Exhibit A and is used exclusively for the assessment and allocation of mediation fees. The Court makes no finding or determination regarding the actual value of any asset, liability, estate, or net resources of either party. All issues relating to valuation, characterization, and the determination of the parties' estates and resources are expressly reserved for final trial.

PETITIONER'S MEDIATION LEVEL

- ☐ Level 1 – Indigent (no fee)
- ☐ Level 2 – Less than \$250,000 | Fee: \$150.00
- ☐ Level 3 – \$250,000 to \$750,000 | Fee: \$900.00
- ☐ Level 4 – Greater than \$750,000 | Fee: \$1,500.00

RESPONDENT'S MEDIATION LEVEL

- ☐ Level 1 – Indigent (no fee)
- ☐ Level 2 – Less than \$250,000 | Fee: \$150.00
- ☐ Level 3 – \$250,000 to \$750,000 | Fee: \$900.00
- ☐ Level 4 – Greater than \$750,000 | Fee: \$1,500.00

PAYMENT OF FEES

IT IS ORDERED that each party shall pay the mediation fee associated with that party's designated level no later than ten (10) days prior to mediation.

Unless otherwise ordered herein, the total mediation fees shall be allocated as follows:

- ☐ Petitioner shall pay only Petitioner's assessed fee.
- ☐ Respondent shall pay only Respondent's assessed fee.
- ☐ Petitioner shall pay all mediation fees.
- ☐ Respondent shall pay all mediation fees.
- ☐ Other allocation: _____.

CCAP shall not be required to schedule or commence mediation until all fees ordered herein have been paid.

SIGNED on _____.

JUDGE PRESIDING

CERTIFICATION OF NET VALUE OF ESTATES/RESOURCES

Certification of Net value of the Estate/Resources or Amount in Controversy of the parties:

I hereby certify to the best of my knowledge that the below level correctly reflects the net value of my estate/resources:

_____ LEVEL 1: I have an affidavit/declaration of indigency on file in this case.

_____ LEVEL 2: Less than \$250,000.00

_____ LEVEL 3: \$250,000.000 to \$750,000.00

_____ LEVEL 4: Greater than \$750,000.00

Signed on _____.

Petitioner

Certification of Net value of the Estate/Resources or Amount in Controversy of the parties:

I hereby certify to the best of my knowledge that the below level correctly reflects the net value of my estate/resources:

_____ LEVEL 1: I have an affidavit/declaration of indigency on file in this case.

_____ LEVEL 2: Less than \$250,000.00

_____ LEVEL 3: \$250,000.000 to \$750,000.00

_____ LEVEL 4: Greater than \$750,000.00

Signed on _____.

Respondent

Please copy and attach Certification of Net Value for each additional party as needed.

Every field must be filled out with "0", "none", or a dollar amount as CCAP cannot accept blanks or "n/a".

Exhibit A

Real Property net value (FMW – note balance or balances = net value)	
Common Address	Net Value
1.	
2.	
3.	
Cash and Accounts with Financial Institutions Balances	
Name of institution; last 4 digits of account number	Balance & Date
1.	
2.	
3.	
Motor Vehicles, Boats, Airplanes, Cycles, etc. net value (FMV – note balance = net value)	
Make and model	Net Value
1.	
2.	
3.	
Retirement Benefits/IRA/SEP (defined contribution plan or defined benefit plan)	
Name of Account	Value of Account
1.	
2.	
3.	
Insurance and Annuities	
Company name or Insurer	Cash Value
1.	
2.	
3.	
Brokerage/Mutual Fund Accounts	
Name of Company	Balance & Date
1.	
2.	
3.	
Stocks, bonds and other securities	
Name of issuer	Value & Date
1.	
2.	
3.	
Closely Held Business	
Name of Business	Business Value
1.	
2.	
3.	

Unsecured Debt	
Name of Debt Holders	Amount & Date
1.	
2.	
3.	
Other	
1.	
2.	
3.	
4.	
5.	
6.	

Is there a Protective Order under Title 4 of the Texas Family Code? Check yes or no.

YES ☐

NO ☐