

CAUSE NO. _____-CV

_____	§	IN THE DISTRICT COURT
	§	
v.	§	MONTGOMERY COUNTY, TEXAS
	§	
_____	§	418 th JUDICIAL DISTRICT COURT

COURT ORDER REGARDING TEMPORARY ORDERS AND MEDIATION

Your spouse has asked that Temporary Orders be set for your family while your case is pending. These Orders could involve temporary custody and visitation matters, temporary child and/or spousal support, temporary use of a residence and/or vehicles, temporary responsibility of bills, etc. These rules can either be agreed upon between you and your spouse, or they can be ordered by the Judge after a hearing.

You must appear in Court on the date and time listed in the attached notice unless:

1. You and your spouse reach an agreement before the Court date; AND
2. The agreement is in writing and signed by you and/or your attorney, and the Court is notified of the agreement.

If you and your spouse have not reached an agreement in writing, you must appear in Court. You must bring you a completed financial information sheet and pay stubs for the last six months. A form is attached for your convenience. You may, alternatively, use any form that gives substantially the same information.

You will be given time to talk with your spouse and his/her attorney at the time of your Court date to try and reach an agreement regarding Temporary Orders for the family. If no agreement is reached, you and your spouse will be ordered to mediation.

If it becomes apparent that you and your spouse cannot reach an agreement, **you are required to call counsel for the Petitioner, set up a date for this mediation, and complete your mediation before your Court date.**

PRIOR TO THE HEARING ON THIS MATTER, THE COURT EXPECTS ALL PARTIES TO ATTEND MEDIATION.

All parties and their attorneys are required to attend all scheduled mediation sessions for the purpose of engaging in constructive settlement negotiations. Mediation is intended to give you the opportunity to reach an agreement in a cooperative environment. It places you in the position of determining the outcome of your case.

All persons involved with the mediation of this dispute (including the mediator, the parties and their attorneys) shall be governed by the confidentiality provisions of TEX. R. EVID. 408 and TEX. CIV. PRAC. & REM. CODE §§ 154.054 and 154.073.

IT IS ORDERED THAT EACH ATTORNEY SHALL HAVE THE RIGHT TO PARTICIPATE IN THE MEDIATION AND BE PRESENT WITH HIS/HER CLIENT(S) AT ALL TIMES, IF HE/SHE DESIRES, REGARDLESS OF WHETHER ALL PARTIES ARE REPRESENTED BY AN ATTORNEY.

If after the case has been mediated and an agreement has not been reached, the Court will schedule a hearing date and conduct a hearing regarding Temporary Orders. At this hearing, **time limits** will be imposed. In all matters in which managing conservatorship is at issue, the parties shall be granted no more than **three (3) hours** to present the case, with the time to be equally divided. In all other temporary matters, the parties shall be granted no more than **two (2) hours** to present the case, with the time to be equally divided.

If you have any questions regarding this procedure, call Judge Tracy A. Gilbert's office at (936) 538-3618 or (281) 364-4200 ext. 3618.

TRACY A. GILBERT, JUDGE PRESIDING
418TH JUDICIAL DISTRICT COURT