

FEB 24 2016

JULI LUKE



DEPUTY

COPY

No. SO-2016-00002

IN RE:	§	IN THE PROBATE COURT
LOCAL ORDER FOR MEDIATOR	§	
LISTS FOR PROBATE AND	§	
GUARDIANSHIP CASES AND FOR	§	OF
COMPLIANCE WITH TEXAS	§	
GOVERNMENT CODE §37.01	§	DENTON COUNTY, TEXAS

**STANDING ADMINISTRATIVE ORDER ON DENTON COUNTY PROBATE COURT  
MEDIATOR APPOINTMENT LISTS**

On this day, the Court considered the Court’s policy and procedures to administer the Mediator Appointee lists for both probate and guardianship cases in accordance with Texas Government Code §37.01. The Court finds as follows:

1. There will be two Mediator Lists as follows:

Mediator List I: Attorneys with 10 or more years Probate and Guardianship Experience who have requested to be appointed on difficult, complex and contested Probate cases; are qualified to serve and have been approved by the Denton County Probate Court; and

Mediator List II: Attorneys with 5 or more years Probate and Guardianship Experience who have requested to be appointed; are qualified to serve and have been approved by the Denton County Probate Court.

2. On or about January 1st, April 1st, July 1st, and October 1st of each year, the Court will post a copy of the Mediator Lists on the Probate Court bulletin board and on the public viewing bulletin board located in the hallway on the west side of the first floor of the Denton County Courthouse. The Mediator Lists will also be posted on the Denton County Probate Court’s website. The Court finds that all Mediator Lists shall contain the names of the attorneys who are registered with and have met all the local requirements of the Denton County Probate Court. The Mediators’ names will appear in alphabetical order on the lists and will be updated quarterly.
3. The Court finds that for an attorney to be considered for placement on either Mediator List I or Mediator List II, the attorney must send the following documentation to the Probate Court Attorney Administrator, Mr. Byron Brown, via e-mail to [byron.brown@dentoncounty.com](mailto:byron.brown@dentoncounty.com):
  - a. a letter to the Court requesting placement on either Mediator List I or Mediator List II;
  - b. a current State Bar of Texas Certified Attorney Ad Litem Certificate obtained by completion of the Texas Estates Code §1054.201 mandated four hours of guardianship training;
  - c. a resume or curriculum vitae; and
  - d. a completed Denton County Probate Court Mediator Application and Attorney

## Profile Form.

After the above documentation has been sent to the Court, the Probate Court Administrator will contact the Applicant to schedule an interview with Judge Bonnie Robison.

4. In order for an attorney to be found by the Court to be qualified to serve as a Mediator, the attorney must demonstrate a working knowledge of Texas Probate and Guardianship Law, the Texas Rules of Evidence, and the standing orders of the Denton County Probate Court. The attorney must be registered and in good standing on a Denton County Probate Court Probate and/or Guardianship ad litem list. In addition, in order for an attorney to be found by the Court to be qualified to serve as a Mediator List I, the attorney must have demonstrated an ability to mediate difficult and complex Probate and Guardianship cases. Furthermore, in order to be qualified to serve as a Mediator List I, the attorney must have significant experience with dependent administrations, including temporary estate administrations and guardianship administrations.
5. After making a discretionary decision based on the requirements of each case, the Court will decide which Mediator List will be used to make the appointment. The Court is statutorily authorized to appoint a Mediator out of order or to appoint a Mediator who otherwise meets statutory or other legal requirements to serve as a Mediator in a case, but who is not currently on a Mediator List if the attorney:
  - a. possesses relevant specialized education, training, certification, skill, language proficiency, or knowledge of the subject matter of the case;
  - b. has relevant prior involvement with the parties or case;
  - c. is in a relevant geographic location; and/or
  - d. is chosen by agreement of all of the parties.
6. It is the attorney's responsibility to provide the Court an updated Attorney Ad Litem certificate. When the attorney's Ad Litem certificate expires, it is the attorney's duty to notify the Court that his/her Ad Litem certificate has expired and not to accept any appointments until he/she has obtained a current Ad Litem certificate and met all of the Court's requirements to be placed on the Ad Litem List. If the Attorney Ad Litem certificate for an attorney on the Mediator List expires, the Court imposes the following:
  - a. The Appointee will immediately be removed from the Mediator List and will no longer be eligible for assignments as of the date of the expiration of certification on file with the Court.
  - b. For restoration to the List, the Mediator must file a current Attorney Ad Litem certificate with the Court.
  - c. If the Court finds the attorney is qualified to serve on the Mediator List, before receiving any new court assignments the attorney must complete five (5) Court Visits to be coordinated with the Court Guardianship Administrative Assistant, Diana Holland at (940) 349-2144.
  - d. After restoration, the Mediator will be placed at the bottom of the Mediator List.
7. The Court finds that the above policies and procedures should be implemented in order to serve the citizens of Denton County to efficiently and effectively administer the cases filed in the Denton County Probate Court according to the law.

IT IS THEREFORE ORDERED that the above policies and procedures shall be carried out and implemented by the Denton County Probate Court and the attorneys serving on the Mediator Lists according to the law.

SIGNED on February 24, 2016.

*Bonnie Robison*

\_\_\_\_\_  
**BONNIE J. ROBISON, JUDGE**  
**DENTON COUNTY PROBATE COURT**

