

# IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 93- 0023

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## APPROVAL OF LOCAL RULES OF BEXAR COUNTY ON ALTERNATIVE DISPUTE RESOLUTION PROCEDURES

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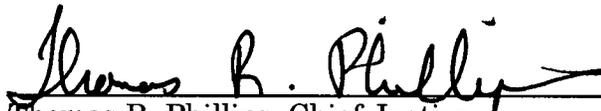
### **ORDERED:**

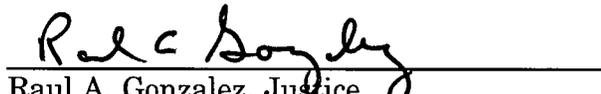
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following local rules, which have been previously approved by the presiding judge of the appropriate administrative judicial region and submitted to this Court:

Chapter F of the Local Rules of Bexar County concerning Alternative Dispute Resolution Procedures, approved by the District Judges of Bexar County on October 2, 1992.

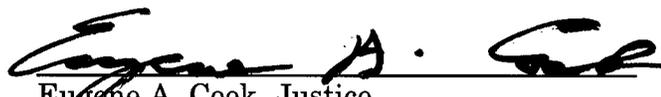
The approval of these rules is temporary, pending further orders of the Court.

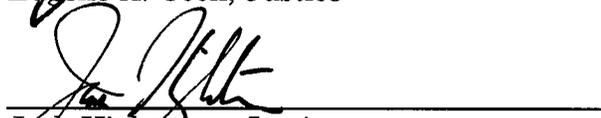
SIGNED AND ENTERED this 27<sup>th</sup> day of October, 1992.

  
Thomas R. Phillips, Chief Justice

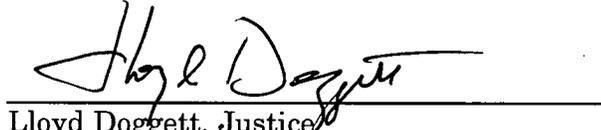
  
Raul A. Gonzalez, Justice

  
Oscar H. Mauzy, Justice

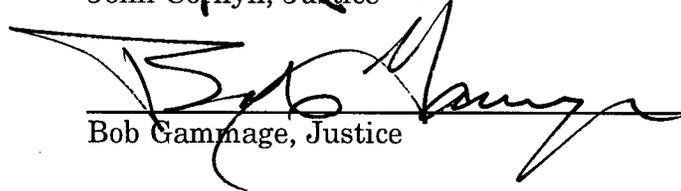
  
Eugene A. Cook, Justice

  
Jack Hightower, Justice

  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice

  
John Cornyn, Justice

  
Bob Cammage, Justice

office\orders\101592.jh

## PROPOSED RULES

### F. ALTERNATIVE DISPUTE RESOLUTION PROCEDURE

In order to implement the policy and procedures set out in the Alternative Dispute Resolution Procedures Act ("ADR Procedures Act"), Section 154.001 et seq., of the TEX. CIV. PRAC. & REM. CODE ANN., the District Courts of Bexar County, Texas, have adopted the following local court rules:

3.33 Alternative Dispute Resolution Judge. The local administrative district judge shall appoint a regularly sitting district judge to act as the Alternative Dispute Resolution Judge ("ADR Judge") for the purpose of hearing matters filed under the ADR Procedures Act. The ADR Judge shall serve until such time as his/her successor is appointed by the administrative district judge.

3.34 Motions Filed by Parties under the ADR Procedures Act. All motions filed pursuant to the ADR Procedures Act shall be styled "Motion Pursuant to Alternative Dispute Resolution Procedures Act," shall be filed with the non-jury setting clerk, who will schedule a date and time for hearing before the ADR Judge. It shall be assigned by the setting clerk to the ADR Judge for hearing. The party filing the motion shall notify all of the parties by sending a conformed copy of the motion and the order setting the hearing.

3.35 Hearings. All ADR hearings shall be held by the ADR Judge at a special docket call in the courtroom of the ADR Judge.

3.36 Procedure for Hearings. Section 154.021, et seq., of the ADR Procedures Act, shall govern hearing before the ADR Judge, and the ADR Judge shall have the right, after conferring with the parties in attendance at the hearing, to refer the parties to mediation, a mini-trial (under an agreement of the parties), a moderated settlement conference, a summary jury trial or arbitration, at the discretion of the ADR Judge.

3.37 Referral List. The ADR Judge shall keep a list of impartial third parties that are suitable for handling referrals. Such third parties shall be qualified according to Section 154.052 (a), (b) or (c) of the ADR Procedures Act. Such list shall include the third party's qualifications, specialties; and where applicable, fees charged.

3.38 ADR Referrals from Other District Judges. All other sitting district judges, on their own motion, can either (i) make their own referrals pursuant to the ADR Procedures Act, or (ii) refer appropriate disputes to the ADR Judge for determination.

3.39 Settlement Week. Nothing herein shall affect established Settlement Week procedures.



DISTRICT COURT  
187TH JUDICIAL DISTRICT OF TEXAS  
BEXAR COUNTY JUSTICE CENTER  
300 DOLOROSA  
SUITE 2129  
SAN ANTONIO, TEXAS 78205-3015

PAT PRIEST, JUDGE

October 5, 1992

Hon. Ray Justice, Administrative Director  
The Office of Court Administration  
Post Office Box 12066  
Austin, Texas 78711-2066

Re: Proposed Amendments to the Local Rules  
of the District Courts of Bexar County

Dear Mr. Justice:

In accordance with Rule 3a of the Rules of Civil Procedure, the District Judges of Bexar County, at a meeting held October 2, 1992, voted to amend the local rules as reflected by the enclosures, subject, of course, to the approval of the regional Administrative Judge and the Supreme Court.

I am authorized to inform you that these rules have been reviewed by Judge Olin Strauss, our Regional Administrative Judge, and he has no objection to their adoption.

In a nutshell, the rules pertain to Alternative Dispute Resolution; as there are no existing rules, they supplement, and do not supplant any portion of our current rules.

Notice of these proposed changes is being given to local attorneys contemporaneously with this letter.

Please notify us if and when these rules changes are approved by the Supreme Court. Thank you for your kind assistance.

Cordially,

A handwritten signature in cursive script, appearing to read "Pat Priest".

Pat Priest, Bexar County Local Administrative  
District Judge, 1992-1993



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

P.O. BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
OSCAR H. MAUZY  
EUGENE A. COOK  
JACK HIGHTOWER  
NATHAN L. HECHT  
LLOYD DOGGETT  
JOHN CORNYN  
BOB GAMMAGE

EXECUTIVE ASS'T.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T.  
MARY ANN DEFIBAUGH

October 27, 1992

Mr. Robert D. Green  
County Clerk  
County Courthouse  
San Antonio, Texas 78205

Dear Mr. Green,

Please find a copy of the order of this Court of October 27, 1992, that approves local rules on alternative dispute resolution procedures for Bexar County.

Please note that the Supreme Court has been approving local rules provisionally. The Court believes that the Uniform Local Rules Committee is nearing completion of its task. You may therefore be asked to further amend your local rules in the future.

Sincerely,

SIGNED

John T. Adams  
Clerk

Encl.

cc:  
Hon. Olin Strauss  
4th Admin Judicial Rgn

District Clerk

Mr. Ray Judice  
Office of Court Admin

State Law Library

Chmn Supreme Ct Adv Committee