

Mediation Research Guide

Overview

This research guide includes information and resources on mediation. A nonbinding form of alternative dispute resolution, mediation involves a “neutral third party who tries to help the disputing parties reach a mutually agreeable solution.” (*Black’s Law Dictionary*, 11th ed.) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Arbitration, Rule 11 Agreements, Settlement Agreements

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Family Code

- Ch. 6 Suit for Dissolution of Marriage Subchapter G Alternative Dispute Resolution §6.602 Mediation Procedures
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.6.htm#G>

Civil Practice and Remedies Code (CPRC)

- Ch. 154 Alternative Dispute Resolution Procedures §154.023 Mediation
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.154.htm>

Texas Estates Code

- §1055.152 Mediated Settlement Agreements
<https://statutes.capitol.texas.gov/Docs/ES/htm/ES.1055.htm#1055.152>

Secondary Resources in Print

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 6, Ch. 98 §98.04[1][c] Limits on Trial Courts Ability to Sanction
- Vol. 7, Ch. 104 Alternative Dispute Resolution §104.02[2] Nature of Alternative Procedures – Mediation

Texas Family Law Practice Manual REF KFT 1294 .T4S7

- Vol. 1, Ch. 18 Alternative Dispute Resolution and Informal Settlement

Texas Civil Procedure: Pretrial Litigation KFT 1737 .D67

- Ch. 12 Settlement and Alternative Dispute Resolutions §12.02[B] Mediation

West’s Legal Forms KF 170 .W4

- Vol. 26, Ch. 2 Methods of Alternative Dispute Resolution
 - Section IV: Mediation
 - Section VII: Mediation-Arbitration

Texas Trial Handbook 3D REF KFT 1738 .T4

- Vol. 1, Ch. 5 Alternative Dispute Resolution
 - Section II. Mediation §5:7 *et seq*
 - Section IX. Forms §5:39-5:40

The Alternative Dispute Resolution Practice Guide KF 9085 .A933

- Vol. 1, Part III Mediation Chs. 23-35

Mediation: Fundamental Fairness: An Essential Handbook KF 9084 .A9M3

CLE Materials

Advanced Family Law KFT 1294 .S83

- 2021 Ch. 43.1 Representing the “Unhealthy” Client: Negotiations and Mediations
- 2021 Ch. 65 Effective Mediation
- 2020 Ch. 26 With a Little Help from My Friends: Working with Financial Experts
- 2020 Ch. 70 I’m a Believer: Interest-Based Negotiation Techniques in Family Law
- 2019 Ch. 71.2 Mediation: Some Fundamentals
- 2018 Ch. 70 Mediation Agreements: How to Enforce or Avoid Them
- 2018 Ch. 74 How to Succeed in Mediation
- 2015 Ch. 55 Sealing the Deal in Mediation: Overcoming the Rogue Factor
- 2015 Ch. 56 When Emotion Overwhelms Reason, Using Mental Health Professionals in the Negotiation and Mediation Process to Help Clients Make Effective Strategic Decisions
- 2015 Ch. 58 Winning at Mediation

Advanced Family Law Drafting KFT 1294 .A92

- 2021 Ch. 6 Drafting for Yourself: Preparing Your Notes for Litigation, Depositions, and Mediation
- 2021 Ch. 25 Drafting for Mediation, Including MSAs

Alternative Dispute Resolution Law Course KFT 1760.3 .A75S7

- 2022 Ch. 2 Mediation Can Offer Impartiality During Times of Racial, Cultural, and Social Strife *(PDF only)*
- 2022 Ch. 3 Employment Mediation Issues *(PDF only)*
- 2020 Ch. 6 Neuroscience and Mediation: How it can Affect Your Practice
- 2020 Ch. 9 Family Law Mediation: Beyond the Basics
- 2012 Ch. 1 Ethical Guidelines for Mediators
- 2012 Ch. 2 Mediating in the Red Zone: Advanced Mediation Training on the Field
- 2011 Ch. 1 Micro-Interventions in Mediation
- 2011 Ch. 2 An Overview of Mediation in Mexico: Its Past, Present and Future

Mediation 2001: Alternative Dispute Resolution Seminar 1996 KFT 1760.3 .T37

Family Law 101 KFT 1294 .A75 F351

- 2021 Ch. 7 Preparing for Mediation
- 2020 Ch. 4 Win-Win at Mediation
- 2015 Ch. 6 Spit Shining Your Case and Client for Mediation

Marriage Dissolution Institute KFT 1300 .M372

- 2022 Ch. 21 Looking for Love: Settlement Agreements, subsection III: Mediated Settlement Agreements *(PDF only)*

Marriage Dissolution 101 KFT 1300 M3732

- 2022 Ch. 6 Preparing for Mediation for a Success Outcome *(PDF only)*

Agricultural Law KFT 1439 .S7A5

- 2021 Ch. 3 Has Anything Changed Yet for AG Mediation?

Business Disputes KFT 1398 .C5

- 2021 Ch. 9 Maximizing Your Mediation: Effective Strategies to Get the Most Out of It, Even if Not a Settlement

Changing Face of Water Rights KFT 1646 .A75 C42

- 2021 Ch. 6 Mediating Water Disputes

Damages in Civil Litigation KFT 1290 .D3D36

- 2021 Ch. 9 Mediation Techniques – What Works and What Doesn’t

Fiduciary Litigation KFT 1337 .A75 F54

- 2021 Ch. 15 Mediation of Fiduciary Litigation Cases

Online Resources

Tarrant County Dispute Resolution Program (DRP)
<https://www.tarrantcounty.com/en/dispute-resolution-program.html>

Mediation & Alternative Dispute Resolution (Texas State Office of Administrative Hearings)
<https://www.soah.texas.gov/mediation-alternative-dispute-resolution>

Alternative Dispute Resolution Section (State Bar)
<https://texasadr.org/resources/clauses-forms/>

American Arbitration Association (AAA) Rules –
(multiple mediation related documents available)
<https://www.adr.org/Rules>

Article: Mediation (TexasLawHelp)
<https://texaslawhelp.org/article/mediation>

Mediated Settlement Agreements in Texas (attorney
blog) <https://www.familylawyerkaty.com/family-law/mediation-services/mediated-settlement-agreements/>

Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions
(free service)**

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral
Service:** 817-336-4101 (\$20 for the first 30 minutes)

