

By: Taylor of Collin

S.B. No. 948

A BILL TO BE ENTITLED

AN ACT

relating to mediation as an alternative dispute resolution process.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 154.023, Civil Practice and Remedies Code, is amended by amending Subsection (b) and adding Subsections (d), (e), (f), and (g) to read as follows:

(b) A mediator may not impose the mediator's ~~his~~ own judgment on the issues for that of the parties.

(d) A mediator must inform all parties to the mediation that:

(1) the matter being mediated is not being heard before a state or federal court of law; and

(2) the mediator has no authority to render a legal judgment.

(e) The mediator must provide notice to all parties that a person seeking a legal remedy should seek appropriate legal counsel and may seek a legal remedy from a court of law.

(f) A mediator may not:

(1) conduct any part of the proceeding in a manner based on the gender of one of the parties, including assessing fees or reviewing evidence based on the gender of a party; or

(2) advertise that a proceeding before the mediator is being conducted in a court or tribunal.

(g) A mediator may not be referred to as a judge unless the

1 mediator has served as a judge of a state or federal court.

2 SECTION 2. The change in law made by this Act applies only
3 to a mediation proceeding that is commenced on or after the
4 effective date of this Act. A mediation proceeding that is
5 commenced before the effective date of this Act is governed by the
6 law as it existed immediately before that date, and that law is
7 continued in effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2015.