

1. ** Approval of Tarrant County Dispute Resolution Fee Schedule and Mediator Stipend Schedule



COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER _____

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DATE: 07/16/2024

**SUBJECT: APPROVAL OF TARRANT COUNTY DISPUTE RESOLUTION FEE
SCHEDULE AND MEDIATOR STIPEND SCHEDULE**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve the Tarrant County Dispute Resolution (DR) Fee Schedule and Mediator Stipend Schedule.

BACKGROUND

Chapter 152, Texas Civil Practice and Remedies Code, allows counties to operate an Alternative Dispute Resolution System (ADRS). ADRS is defined as “an informal forum in which mediation, conciliation, or arbitration is used to resolve disputes among individuals, entities, and units of government, including those having an ongoing relationship such as relatives, neighbors, landlords and tenants, employees and employers, and merchants and consumers.”

On November 2, 2021, the Commissioners Court, through Court Order #136732, approved the most recent Tarrant County DR Fee Schedule and Mediator Stipend Schedule.

Tarrant County’s model for its ADRS is dependent on independent mediators to provide high-quality mediation services for Tarrant County residents. To ensure affordability, the Commissioners Court must set a fee schedule for the program. Participants will pay the mediator the set fee directly.

If it is determined that a participant is unable to afford the set fee, Tarrant County will issue the mediator a stipend in the amount of the unpaid fee. Certain services (Juvenile Services mediation programs) will not require the participants to pay a fee; instead, Tarrant County will pay the mediator directly according to the proposed fee schedule attached.

The fee and mediator stipend schedule is attached.

FISCAL IMPACT

Fees will be paid by the parties to the mediators, or if hardship is determined, the mediator stipend will be paid out of Fund 22500–2024 Dispute Resolution Fund/1120100000 County Administrator/569011 Professional Services.

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|---------------|--------------------|------------------------------|----------------------------|
| SUBMITTED BY: | Dispute Resolution | PREPARED BY: APPROVED BY: | Susan Young Susan Young |
|---------------|--------------------|------------------------------|----------------------------|

**Tarrant County Dispute Resolution (DR)
Fee Schedule and Mediator Stipend Schedule**

| Program | Participant Fee ⁱ | Mediator Stipend | Eligibility ⁱⁱ |
|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Juvenile Services Mediation | None | \$50 ⁱⁱⁱ | Juvenile Services referral only. |
| District Court Civil Cases, County Court Cases, Family Cases, and Probate Cases | \$120 per party for four hours (half day); \$30 per party per hour thereafter | Up to \$240 per four hours; maximum of \$480 per case | Program eligibility restricted to participants with a family income of \$110,000 or less; individual income of \$60,000 or less. ^{iv} |
| Justice Court Cases | \$60 per party | Up to \$120 per mediation | No eligibility restrictions for the program. |
| Community/Non-Court Mediations | \$30 per party | Up to \$60 per mediation | No eligibility restrictions for the program. |
| Eviction Court Cases | None | \$220 ^v | CCL referral |
| Temporary Order Cases | \$60 per party | Up to \$120 per mediation | No eligibility restrictions for the program. |
| CPS Mediation | None | \$125 for 1 hour mediation; \$250 per ½ day mediation; \$500 per full day mediation. ^{v, vi} | CPS referral |
| Mediator Retainer | None | \$25 | Court appearance ^{vii} |

(i) Participants will pay the participant fee to the mediator directly at the time of mediation.

(ii) Eligibility to participate in the DR mediation program is determined by family or individual income or referral from the court. For Justice Court cases and Community/Non-Court mediations, there are no eligibility restrictions for participation in the program.

(iii) Tarrant County DR will pay the mediator stipend directly for Juvenile Services Mediation.

(iv) Ability to pay will be determined by these income thresholds. If a party is below the income threshold, a sliding scale will be used to determine the amount of fee. DR will pay the other portion of the fee as a mediator stipend.

(v) Tarrant County DR will pay the mediator stipend directly for the entire eviction docket.

(vi) CPS will contribute the first \$1,000 towards mediation costs. DR will then cover the remaining mediator stipend for these cases up to \$40,000.

(vii) In the event mediation is not conducted, the mediator will be paid a stipend for their time in court.