

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**REGARDING CASES ASSIGNED TO  
CHIEF UNITED STATES DISTRICT JUDGE RODNEY GILSTRAP**

**STANDING ORDER REGARDING PARTICIPATION OF LOCAL COUNSEL IN  
MEDIATION EFFORTS**

WHEREAS, Alternative Dispute Resolution in general and mediation in particular are recognized by the Court as beneficial and efficient in civil litigation of all types; and

WHEREAS, it is this Court's longstanding policy and practice to require active mediation in all civil cases at such times as scheduled by the court and prior to trial; and

WHEREAS, mediation is materially more likely to be successful if (in cases in which local counsel have appeared) such efforts actively and substantially involve local counsel; and

WHEREAS, the Court views the active and material participation of local counsel in all phases of trial practice in civil cases as beneficial and efficient, and commends such to all parties appearing before it,

NOW, THEREFORE, IT IS ORDERED THAT:

In all civil cases in which local counsel appear of record prior to mediation being undertaken, local counsel shall be physically present at and materially involved in the mediation process at all times and stages. Any court appointed mediator who learns that local counsel have not so been used, shall report the same to the Court, and such conduct shall be presumed by this Court to evidence a failure to mediate in good faith as required by this District's Court Annexed Mediation Plan (see: <http://www.txed.uscourts.gov/?q=court-annexed-mediation-plan>) and may subject any offending party and counsel to sanctions as the Court deems just and proper.

The terms of this Standing Order shall immediately apply to all active civil cases currently pending before the undersigned or that may be assigned to the undersigned hereafter.

**So ORDERED and SIGNED this 30th day of April, 2018.**

  
\_\_\_\_\_  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE