**NOTICE: THIS DOCUMENT  
CONTAINS SENSITIVE DATA**

**CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**§ IN THE DISTRICT COURT**

**Petitioner/Movant §**

**§**

**v. §** \_\_\_\_\_\_\_ **JUDICIAL DISTRICT**

**§**

**§**

**Respondent/Movant §** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **COUNTY, TEXAS**

**AGREED MOTION FOR REFERRAL TO SPECIAL JUDGE**

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner and Respondent respectfully seek approval of their chosen method of alternative dispute resolution under Chapter 151 of the Texas Civil Practice and Remedies Code, and respectfully show the Court as follows:

**I. PUBLIC POLICY AND PURPOSE**

1. It is longstanding Texas policy to promote amicable resolution of disputes, particularly those involving family law issues and the parent-child relationship. The Legislature has recognized that, because children suffer needlessly from traditional and prolonged litigation, the amicable resolution of family law disputes should be promoted forcefully by Texas courts. *See In re Lee*, 411 S.W.3d 445, 449-450 (Tex. 2013); *see also* CPRC 154.002*.* “It is the responsibility of all trial and appellate courts and their court administrators to carry out [this policy].” CPRC 154.003.
2. To that end, Texas law provides several “alternative methods of dispute resolution” that lead to disposition with the assistance of independent neutral third-parties outside of the traditional courtroom, including mediation, arbitration, mini-trial, and trial by special judge. *See* Title VII, Texas Civil Practice and Remedies Code. Chapter 151 of the CPRC provides a statutory mechanism for agreed referral to a qualified special judge for resolution of individual issues or entire cases in a nonpublic setting. This process is designed to facilitate quick resolution of matters in a manner that is efficient, fair, and consistent with the parties' agreements, while protecting the privacy of the litigants and preserving the jurisdiction and authority of the referring court.
3. This Motion arises from the parties’ shared desire to expedite private resolution of the case outside of the public eye, and accommodate scheduling and logistical challenges in the case, without overburdening the Court’s busy docket and trial schedule.

**II. STATUTORY QUALIFICATIONS OF SPECIAL JUDGE**

1. A Special Judge must be a retired or former district court, statutory county court, statutory probate court, or appellate court judge who HAS:

* served as a judge for at least four years in a district court, statutory county court, statutory probate court, or appellate court;
* developed substantial experience in the judge's area of specialty;
* not been removed from office or resigned while under investigation for discipline or removal; and
* completed at least five days of continuing legal education in courses approved by the state bar or the supreme court over the past year.

**III. BASIS FOR REFERRAL**

1. Under Section 151.001 of the Texas Civil Practice and Remedies Code, a district court may upon request order referral of any or all issues in a case to a special judge, provided that the parties agree to the referral and comply with the requirements of the statute.
2. The parties in this case agree to refer [the specific issues or all issues in this case] to Judge Roy B. Ferguson, a former district judge who exceeds the minimum qualifications set forth in Section 151.003 of the Texas Civil Practice and Remedies Code. Judge Ferguson has substantial experience in family law and has agreed to serve in this matter.
3. [INSERT IF FINAL TRIAL IS ALSO REFERRED] The parties further agree to waive their right to trial by jury, as required by Section 151.002, and to pay all fees and costs associated with the referral in equal shares, which have been disclosed to and agreed by the parties. These fees and expenses shall be paid directly to the Special Judge in equal amounts by the parties, shall where practicable and as directed by the special judge be paid in advance, and shall be taxed as costs in this case.

**IV. BENEFITS OF REFERRAL**

1. The agreed referral will:

* Enable the parties to resolve the case efficiently without impacting this Court’s docket;
* Facilitate a more flexible scheduling process for disposition of the case;
* Protect the privacy of the parties and the family; and
* Preserve the Parties’ full right to appeal any order entered by this Court, as stated in Section 151.013.

**V. LOGISTICS**

1. The trial before the Special Judge must be conducted at a private location other than the courthouse.
2. The proceedings must be recorded by a qualified court reporter as required by Section 151.008 of the Texas Civil Practice and Remedies Code.
3. The Special Judge must file a written verdict with this Court within sixty days of the conclusion of the trial, as provided by Section 151.011.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that this Honorable Court:

1. Grant this Agreed Motion for Referral to Special Judge;
2. Enter the proposed Agreed Order of Referral referring the case to Judge Roy Ferguson; and
3. Stay proceedings in this Court [IF REFERRING SPECIFIC ISSUES ONLY: “related to the specific issues referred”] pending the outcome of the trial/hearing before the Special Judge.