

COURT OF APPEALS OF TEXAS, FOURTEENTH DISTRICT

Houston Methodist San Jacinto Hospital v. Teri Ford

Houston Methodist San Jacinto Hosp. · No. 14-14-00201-CV · Decided April 23, 2014

SUMMARY

The Fourteenth Court of Appeals of Texas abated the appeal for 60 days and referred the underlying dispute to mediation. The order suspended the appellate timetable, required participation by parties or representatives with full settlement authority, and established procedures for reporting the mediation's outcome and seeking reinstatement, dismissal, or extension. The document also includes mediation rules and a mediator's report form.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourteenth District
JURISDICTION	Texas
DECIDED	April 23, 2014
DOCKET	14-14-00201-CV
DISPOSITION	other
PROCEDURAL POSTURE	During the pendency of an appeal from the 295th District Court of Harris County, the court of appeals referred the underlying dispute to mediation and abated the appeal.
PRECEDENTIAL VALUE	published procedural order with limited substantive precedential value
PARTIES	Houston Methodist San Jacinto Hospital v. Teri Ford

TOPICS

mediation

appellate procedure

civil procedure

PRACTICE AREAS

alternative dispute resolution

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the pending appeal should be referred to mediation and abated for sixty days.
2. What procedures and obligations would govern the court-ordered mediation.

HOLDINGS

1. The court ordered the appeal abated for sixty days, referred the underlying dispute to mediation, suspended the appellate timetable during that period, and removed the appeal from the active docket subject to reinstatement.
2. The parties and their representatives with full settlement authority were required to attend mediation with counsel, participate in good faith, maintain confidentiality, and report to the court promptly regarding the mediation's outcome.

KEY QUOTATIONS

“The court ORDERS the appeal ABATED for a period of sixty days and refers the underlying dispute to mediation.” (1)

“The appeal is ABATED, treated as a closed case, and removed from this court’s active docket for a period of sixty days.” (1)

“The Mediator does not have the authority to decide any issue for the parties, but will attempt to facilitate the voluntary resolution of the dispute by the parties.” (2)

FACTUAL BACKGROUND

The opinion provides no substantive facts concerning the underlying dispute. The appeal was pending before the Fourteenth Court of Appeals, which determined that referral to mediation was appropriate.

PROCEDURAL HISTORY

Houston Methodist San Jacinto Hospital appealed from the 295th District Court of Harris County in trial court cause number 2010-63292. The Fourteenth Court of Appeals determined that the case was appropriate for mediation, referred the dispute to mediation, and abated the appeal for sixty days while suspending the appellate timetable.

DISPOSITION

other