

Session Name: Mediation in Contested Guardianships

Presenters:

1. Connie Rosenberg, MPS, RN, CMC
2. Donald Vanarelli, Esq.
3. Harry O'Malley, Esq.

Format: Lecture

Length: 1 hr.

Brief Description:

Contested guardianships typically involve disputes among adult siblings concerning the safety, living arrangements, autonomy and financial management of a family member who is elderly or has a cognitive impairment. Mediation, which encourages consensus building and fosters the preservation of relationships, is a valuable tool in resolving guardianship contests. The panel will discuss the mediation process, and the use of mediation to resolve issues that arise in contested guardianship cases. Case studies will be presented demonstrating how the mediation process has moved the parties toward resolution in contested guardianship cases.

Objectives:

1. Help Attendees understand the mediation process.
2. Explain how mediation is used in contested guardianship cases, focusing on the use of mediation by the courts via the Probate Early Settlement Panels.
3. Present case studies demonstrating the use of mediation in resolving guardianship contests.