

What is Mediation?

Mediation is a process by which an impartial third party, called a mediator, facilitates communication between parties in conflict. The mediator has no power to make decisions for the parties. Rather, the mediator's goal is to assist and encourage disputing parties in reaching a voluntary, fully informed and mutually acceptable agreement. The mediator uses his or her skills and experience to establish a framework and process within which the parties can communicate.

Mediation can help families manage and resolve their disputes, strengthen relationships, and preserve family members' respect and dignity.

Advantages of Mediation

Mediation provides a quick and relatively inexpensive way for contesting parties to settle their dispute or pending lawsuit. The alternative-litigation-can take an average of 1 to 3 years to reach trial. Typically, a high percentage of disputes can be resolved in mediation in a comparatively short time-weeks or months. Most importantly, the parties craft their own result—a settlement can occur only if each side accepts the result. In mediation, the parties negotiate the settlement themselves and know what the result will be, eliminating the risk of a jury or other decision-maker imposing a result that does not "fit" the parties' needs.

The Elder Mediation Center of New Jersey is a collaborative alliance of independent mediators, attorneys, geriatric care managers and other eldercare professionals.

The Elder Mediation Center of New Jersey provides efficient, knowledgeable, affordable alternate dispute resolution services designed to resolve the conflicts of elders, individuals living with a disability, their families and others.

Professionals with the Elder Mediation Center bring expertise and commitment to the mediation task. They offer years of training in mediation and dispute resolution; and extensive backgrounds in these fields:

- * Estate Planning and Administration
- * Geriatric Care Management
- * Geriatric and Disability Assessments
- * Trust Formation and Planning
- * Nursing Home Law and Litigation
- * Guardianships and Fiduciary Services
- * Representing the Elderly and Disabled
- * Public Benefits Eligibility Planning
- * Disability Planning
- * Medical Decision-Making
- * End-of-Life Decisions
- * Financial Arrangements
- * Estate and Probate Litigation
- * Elder Abuse Issues
- * Special Needs Planning

The members of the Elder Mediation Center of New Jersey approach dispute resolution based upon ethical principles: the recognition that the elder or individual living with a disability, who is often at the center of the conflict, is the most important participant. **Our core belief is that the voice of the elderly or disabled individual must be heard and respected if the conflict is to be resolved.** We assist families to achieve creative solutions that are best suited for them, and are committed to respect and encourage fairness for all parties involved.

Mediators at the Elder Mediation Center of New Jersey are familiar with and capable of facilitating a variety of family conflicts common to elder mediation, including:

- * Disputes Among Adult Children About their Parents
- * Housing and Living Arrangements
- * Caregiving Issues, including Caregiver Role-Reversal Disputes
- * Healthcare Planning and Decision-Making
- * Financial Management Disputes
- * Estate Planning and Probate Matters
- * Medical Treatment Decisions
- * Guardianship / Conservatorship Issues
- * Consumer Issues
- * Social Life and Activities
- * Spirituality and Aging
- * Ongoing Relationships
- * Family Wealth Issues
- * Inheritance Disputes

WHO CAN BENEFIT FROM MEDIATION?

Anyone with the desire to settle disputes respectfully, reasonably and at less cost can reach agreement in mediation. **Mediation is effective even when conflict and anger is high, and communication has broken down.**

FEES

Each of the Center members establishes his or her own fee schedule. All fees are disclosed prior to beginning the mediation, and all fee agreements are in writing and signed by the parties and professionals involved. Fees are moderate, and you pay only for the actual time you use.

HOW TO PROCEED

Call (908) 232-7755, or toll free at (888) 609-6565, to arrange for a mutually convenient appointment. At that time, a detailed explanation of the process is described, and a written outline provided.

FIRM PROFILE

The Elder Mediation Center of New Jersey is committed to helping elders, individuals living with a disability, their families, caregivers and others achieve a satisfactory resolution of their dispute. We are dedicated to resolving disputes under the principle of self-determination: decision-making authority in the mediation process rests with the parties.

**Elder Mediation Center of New Jersey:
An Alliance of Independent Professionals**

Marcie Cooper, M.S.W.

Marcie Cooper, MSW, LCSW, C-ASWCM, is a professional geriatric care manager and educator with more than 30 years of experience. Marcie provides assessments and care planning for vulnerable adults and consulting services to eldercare service providers. Marcie is an instructor at Rutgers University in the gerontology certification program. The NJ Assembly recently appointed Marcie to the Elderly Person Suicide Prevention Advisory Council. Marcie is currently President of the NJ chapter of the National Association of Professional Geriatric Care Managers. She received her M.A. in social work from Yeshiva University and a B.A. in music therapy from Montclair State University.

Anthony J. Serra, Esq.

Anthony J. Serra received his law degree from Seton Hall Law School, graduating magna cum laude, and is a graduate of Drew University. He is the former General Counsel to the NJ Office of the Public Guardian for Elderly Adults. He is a Registered Guardian. Tony is a professional mediator and is on the roster of court approved mediators administered by the NJ Administrative Office of the Courts. Tony received specialized Adult Guardianship/Family Caregiver mediation training through the Center for Social Gerontology in Ann Arbor, Michigan. Tony resides with his family in Hunterdon County, New Jersey.

Nina E. Weiss, Esq.

Nina E. Weiss received her law degree from Fordham Law School, and is a graduate of Binghamton University. She is the former Associate Counsel to the New Jersey Office of the Public Guardian for Elderly Adults and a former Legal Specialist with the Office of the Commissioner of the NJ Department of Health and Senior Services. Nina is a professional mediator on the roster of court approved mediators. She previously served as a member of the Advisory Committee on Supportive Housing through the Real Life Choices Program of the Division of Developmental Disabilities. Nina also serves as the Chairperson of the Mercer County Bar Association Chancery Bench Bar Committee. Nina resides in Bucks County, PA.

Donald D. Vanarelli, Esq.

Donald D. Vanarelli, an attorney since 1983, is admitted in NJ and NY. A graduate of Rutgers Law School, Don practices in the areas of elder law, disability planning, family law, and mediation. Don worked for the Social Security Administration on Social Security, SSI, Medicare and Medicaid claims. Don served as Law Clerk to Hon. Herbert S. Altman, J.S.C. He is a graduate of the NJ Bar Association's mediation training programs for probate, general equity and civil cases, and family law cases. Don received advanced training in family and elder mediation. He is accredited as a professional mediator. Don is also board-certified as an elder law attorney. Don was selected as a NJ *Super Lawyer* in 2007 and 2008 in elder law and estate planning. Don is certified as a regis-

Benefits of Mediation

Mediation recognizes the voice of older and disabled adults in the decisions that impact their quality of life. Specific benefits include:

- ◆ Helping older and disabled adults express their emotions, preferences and concerns during decision-making.
- ◆ Improving understanding between older and disabled adults and the important people in their lives.
- ◆ Helping decrease the stress associated with conflict.
- ◆ Supporting collaboration with health care providers to improve quality of care
- ◆ Providing a cost effective, non-confrontational alternative to litigation.



**Helping older adults, the disabled,
their families, and care providers
communicate effectively**



*Estate, Probate,
Guardianship and
Elder Mediation*

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