

## IS THE ELDER ALWAYS AT THE TABLE?

Mediation is a voluntary process where participants openly discuss relevant matters face-to-face with the help of a trained neutral facilitator. It is important that the parties have the capacity to participate, and that they are informed about the decisions they may be making. DSC will explore ways to understand an elder's ability to be part of the process, and work to provide modifications or accommodations to enable their participation.

## HOW LONG DOES MEDIATION TAKE?

The average number of mediation appointments that participants find useful ranges from one to three. Each appointment can last up to three hours. Each participant will also receive up to 1/2 hour of intake with the case manager.

## HOW DO I BEGIN?

Read the information on the DSC website about the Eldercare Mediation Program and the Mediation FAQ's. Fill out the Eldercare Mediation Inquiry about your situation. Please let us know if you are a relevant party or making a referral of a client. When we receive an inquiry we will contact that person to determine the suitability of mediation.

## DISPUTE SETTLEMENT CENTER (ORANGE COUNTY)

### Mediation Services at DSC

Workplace  
Business and Customer  
Neighbors  
Family  
Elder Care  
Partnership/Marital Separation  
Couples/Domestic Partnership Agreements  
Schools and Special Education  
District Court  
Victim Offender

### Training

DSC provides training in communication and conflict resolution skills, managing conflict in the workplace, mediation and facilitation. Custom training for workplaces and organizations is also available.

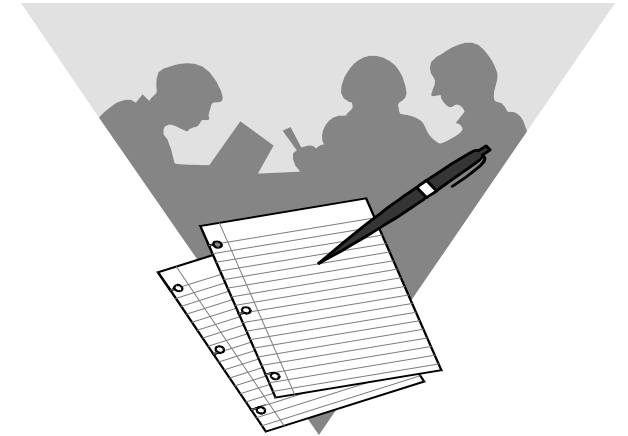
### Public Disputes and Group Facilitation

DSC helps groups to collaborate by providing meeting facilitation services, teaching consensus building, and provides public issues dispute resolution.

### Youth Programs

DSC works with schools, camps, churches, youth groups, neighborhoods, and those who work with youth. We also provide conflict resolution training and assist in developing peer mediation programs.

## ELDERCARE MEDIATION



Mediation is a process where trained neutrals assist participants to find common ground and arrive at mutually agreeable solutions.

Issues of Eldercare—health care, housing, estate planning, guardianship, care-giving, etc., can be discussed and resolved in mediation.

For more information call the  
**Dispute Settlement Center**  
at

**(919) 929-8800 ext 17**

Email us at:

**[jyarnelle@disputesettlement.org](mailto:jyarnelle@disputesettlement.org)**

or visit our website

**[www.disputesettlement.org](http://www.disputesettlement.org)**

## WHAT IS ELDERCARE MEDIATION?

Mediation is a voluntary negotiation process that supports participants in clarifying their concerns and making decisions related to eldercare.

Participants come to mediation to discuss their relevant eldercare issues. In order for parties to make fair decisions, honesty and full disclosure are necessary.

Issues that are commonly discussed:

- Estate planning
- Care-giving
- Safety
- End-of-life decisions
- Guardianship
- Medical treatment
- Housing/Living Arrangements
- Consumer Issues
- Social life and aging

## HOW MUCH DOES MEDIATION COST?

Intake per participant is \$25 (half hour or less). We charge a flat fee of \$150 per hour of mediation (usually 3 hours or less). This amount will be split between the parties unless other arrangements are negotiated before/at the mediation.

## WHAT DO MEDIATORS DO?

Initially the mediators will explain the mediation process and introduce session groundrules to maintain a calmer and more productive conversation.

They will hear from each of the parties to help clarify the issues and establish a common understanding of what each person wants to accomplish in mediation.

After clarification of the issues the process moves into exploring possible solutions to the concerns. Any agreed-upon outcomes will be tested with the parties for feasibility and suggested next steps to take.

The mediators are impartial and do not make decisions for the participants, nor do they provide legal or financial advice or counseling. They are neutral third-parties working to facilitate a constructive discussion among the parties. They can refer the parties to relevant resources if more information is needed for a full negotiation.

Decisions reached can become legal documents, if needed, (but only outside of the mediation with the assistance of an attorney).

## DO I NEED AN ATTORNEY?

We recommend that you consult with an attorney, financial advisor, or therapist to prepare yourself to make specific decisions. Any legal documents would need to be reviewed by an attorney and signed outside of the mediation.

## ARE MEDIATED DISCUSSIONS CONFIDENTIAL?

Mediation is intended to be an informal and confidential process in which family members make decisions regarding their or their elder's care.

Participants and mediators begin mediation by signing a Consent to Mediate form, which clarifies the confidentiality of mediation.

By signing this form, participants agree that the mediators, employees, volunteers and records of the Dispute Settlement Center will not be subpoenaed by participants or attorneys.

The mediators, staff and volunteers of the Center agree that they will not discuss the mediation outside of the DSC and will not willingly testify in court regarding the mediation session.

Exceptions to confidentiality are issues of abuse, neglect or exploitation of vulnerable and older adults. Anyone who suspects that a vulnerable or older adult is in need of protection is required by North Carolina General Statute (GS 108A-102) to report this information to the department of social services in the county where the adult resides.

Mediators retain the right to end a mediation if they suspect bad faith, dishonesty or nondisclosure from the