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Mediation's Advantages in Resolving Wills, Trusts, Estates and Adult Guardianship Matters

Tuesday, June 6, 2017

9:00 A.M. – 1:15 P.M.

New York Law School | 185 West Broadway
New York, NY 10013



This program is being sponsored by the New York State Bar Association's Dispute Resolution Section and is Co-Sponsored by the New York State Bar Association Trusts and Estates Law Section and the Elder Law and Special Needs Section, and the ADR Committee of the Westchester Bar Association.

Mediation's Advantages in Resolving Wills, Trusts, Estates and Adult Guardianship Matters

Mediation of disputes involving trusts, estates, probating Wills, and adult guardianship matters is becoming increasingly popular due to the varied benefits that dispute resolution processes provide. In other parts of the country mediation is the more usual process utilized for these disputes.

The movement towards mediation is a reflection of its unique utility and benefit in this context. Disputes in these areas generally involve emotionally charged interpersonal relations; the disputing parties quite frequently are siblings, close relatives, and other family members. Mediation can be more suited than litigation in resolving these interpersonal matters, which provide a more intimate setting and allows for creative solutions. For these reasons, mediation is a valuable tool that should be considered whenever possible. It can be of great benefit in dealing with issues relating to cultural diversity.

A distinguished panel of recognized mediators, litigators, trusts, estates and elder law practitioners, and judge will reveal mediation's benefits and advantages and demonstrate why mediation's time has come upon us for those practicing in these areas.

This program will be of particular interest to trusts and estates attorneys and elder law attorneys who litigate in the Surrogate's Court and Supreme Courts dealing with wills, trusts, estates, guardianship disputes, the elderly, and those who are confronted with these disputes in their planning practice. Attorneys may be seeking better utilization of their time and efforts – and that of their clients as well. Those attending will gain an understanding of the advantages mediation offers over litigation, including time and cost efficiencies, active and meaningful client participation, and the potential for tailored resolutions, which leads to improved client satisfaction.

Panelists and Speakers:

Surrogate Brandon Sall, Surrogate, Westchester County Surrogate's Court

Leona Beane, Esq., Arbitrator and Mediator, and Trusts and Estates and Guardianship Attorney

Gary B. Freidman, Esq., Partner, Greenfield Stein & Senior, LLP, Former Chair, NYSBA Trusts and Estates Section

Professor Lela Porter Love, Director, Kukin Program for Conflict Resolution Director, Cardozo Mediation Clinic, Benjamin N. Cardozo School of Law

Eric W. Penzer, Esq., Trusts and Estates Litigator, Partner, Farrell Fritz P.C.

Robert D. Steele, Esq., Trusts and Estates Attorney & Mediator, Partner, Schwartz Sladkus Reich Greenberg Atlas LLP

Daniel Weitz, Esq., State-Wide Coordinator of Alternative Dispute Resolution, New York State Court System

Pauline Yeung-Ha, Esq., Partner, Grimaldi & Yeung, LLP, Elder Law Attorney

Assistance in programing: Marc Sheridan, Esq. and Michael Walsh, Esq. On behalf of the Westchester County Bar Association's ADR Committee.

AGENDA

- 8:40 A.M. – 9:00 A.M.** **Registration and Continental Breakfast**
- 9:00 A.M. – 9:10 A.M.** **Introduction**
 Speaker: Robert D. Steele
- 9:10 A.M. – 9:40 A.M.** **How Mediation Differs from Adversarial Proceedings — Benefits of Mediation - The Mediation Process**
 Speaker: Professor Lela Love
- 9:40 A.M. – 10:10 A.M.** **Challenges of Mediating High Conflict Family Disputes — Cognitive and Emotional Barriers to Resolution**
 Speaker: Daniel Weitz
- 10:10 A.M. – 10:40 A.M.** **Different Mediation Programs and Models for Use in Surrogate's Court and Supreme Court Litigation**
 Moderator: Leona Beane
 Speakers: Surrogate Brandon Sall
 Daniel Weitz
- 10:40 A. M. – 11:10 A.M.** **Role Play 1: Sibling Estate Dispute After Death of Mother**
 Mediator: Professor Lela Love
 Speakers: Leona Beane
 Gary B. Freidman
 Eric Penzer
 Robert D. Steele
- 11:10 A.M. – 11:25 A.M.** **Coffee Break**
- 11:25 A.M. – 11:55 A.M.** **What Types of Disputes are More Amenable to Mediation — A Discussion Among Trusts, Estates and Guardianship Attorneys and the Court**
 Moderator: Robert D. Steele
 Speakers: Gary B. Freidman
 Eric Penzer
 Surrogate Brandon Sall
 Pauline Yeung-Ha
- 11:55 A.M. – 12:30 P.M.** **Role Play 2: Possible Guardianship Proceeding**
 Mediator and Speaker: Daniel Weitz
 Speakers: Leona Beane
 Robert D. Steele
 Pauline Yeung-Ha
- 12:30 P.M. – 1:00 P.M.** **Round Table: Summations from the Speakers and Feedback on Roleplays**
 Moderator: Leona Beane
 Speakers: Gary B. Freidman
 Professor Lela P. Love
 Eric Penzer
 Surrogate Brandon Sall
 Robert D. Steele
 Daniel Weitz
 Pauline Yeung-Ha
- 1:00 P.M. – 1:15 P.M.** **Questions from Audience**

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Tuesday, June 6, 2017
New York Law School
185 West Broadway
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www.nysba.org/mediationCLEJune6

Fax or mail this form with
registration fee(s) to:

Sydney Joy, Section Liaison
New York State Bar Association
One Elk Street
Albany, New York 12207
Phone: 518.487.5630
Fax: 518.463.5993
Email: sjoy@nysba.org

Please refrain from faxing and mailing as
this can result in double billing.

Registration fee includes:

Continental breakfast, snack, CLE program,
and programming materials

Cancellation Notice:

Notice of cancellation must be received by
May 30, 2017 in order to obtain a refund of
registration fees. Please contact
Sydney Joy at sjoy@nysba.org or
518-487-5630 to cancel your registration
DRSFA2016 – BG



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Email _____

MEETING REGISTRATION FORM FEES

- NYSBA/Westchester Bar Association Member Fee: \$40.00
- Non-Member Fee: \$75.00
- Newly Admitted Attorney/Law Student \$15.00

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(Make checks payable to New York State Bar Association.)

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