

The ***Law Offices of Donald D. Vanarelli provides mediation services in probate matters, guardianship disputes, will contests and other elder law and estate matters, including lawsuits.*** Mr. Vanarelli is a Certified Elder Law Attorney. In addition, he is certified as a Registered Guardian and as a Guardian and Court Evaluator in New York State. Importantly, ***Mr. Vanarelli is approved by the New Jersey Supreme Court as a mediator in probate, general equity, family disputes and other civil lawsuits. He has also received advanced training in mediation techniques from the NJ Institute for Dispute Resolution.*** This combination of credentials provides the background and knowledge which allows Mr. Vanarelli to be an effective mediator.

WHAT IS MEDIATION?

Mediation is a process of intervention by an impartial, third party neutral, called a mediator, who facilitates communication between parties in a dispute. 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 qualifications and experience to get the parties talking, to explore differences, to point out the strengths and weaknesses in each party's case, to ask questions and sometimes make private recommendations about the underlying merits of each side's case, and to communicate settlement offers and counteroffers to each side at appropriate times. Attendance at a mediation may be voluntary or ordered by a Court. However, the outcome is binding only if the parties

HOW DOES THE MEDIATION PROCESS WORK?

The mediation begins with an opening statement by the mediator describing the purpose of the mediation and the procedures to be used in the process. The parties may be present with their attorneys. The mediator then asks each of the parties to give an opening statement, in which the party may set forth his or her position and respective view on the merits of the underlying dispute. The parties' opening statements are followed by separate caucuses held by the mediator with each side. This is the heart and soul of the mediation process. Outside the presence of the other side, the mediator can examine, with each side, the strengths and weaknesses of that party's case. The mediator will probe for settlement possibilities and communicate offers to each side when appropriate. The mediator continues to go back and forth between the separate caucus rooms, as the parties come closer and closer together, until they can agree on a mutually-acceptable result.

MEDIATION IS NOT ARBITRATION

An arbitration is a mini-trial in which the parties prove their claims by the introduction of witness testimony and documentary evidence. The arbitrator is expected to render a fair and impartial decision. In contrast, in a mediation, there is no "trial" and usually no formal introduction of evidence. The mediation process is neither adversarial nor contentious. Importantly, the mediator does not make decisions, but facilitates the

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 resolve a case. Typically, a high percentage of disputes can be resolved in mediation in what is a comparatively short time. Most importantly, the parties get to choose their own result – a settlement can occur only if each side "chooses a result". In mediation, both sides know what the result will be, eliminating the risk of a jury or other decision-maker randomly and haphazardly deciding the case. In other words, both parties benefit in mediation.

WHY CHOOSE THE LAW OFFICES OF DONALD D. VANARELLI TO MEDIATE YOUR DISPUTE?

Qualifications! Parties choosing a mediator to handle the attempted resolution of an important dispute should have the mediation process handled by a professional who is neutral, who is experienced in negotiation and mediation, and who knows the substantive law involved in the dispute. Donald D. Vanarelli has the background, experience and legal knowledge necessary to be an effective mediator in elder law and estate matters.

At the Law Offices of Donald D. Vanarelli, we are committed to helping disputing parties achieve a satisfactory resolution of their dispute.

LAW OFFICES OF DONALD D. VANARELLI

FIRM PROFILE

The Law Firm of Donald D. Vanarelli is a unique law firm providing a broad range of legal and mediation services for the elderly, the disabled and their families.

APPROVED MEDIATOR BY THE NEW JERSEY SUPREME COURT

Mr. Vanarelli is approved by the New Jersey Supreme Court as a mediator in civil, equity and probate litigation.

CERTIFIED ELDER LAW ATTORNEY

Mr. Vanarelli is certified as an Elder Law Attorney. Elder Law is the legal practice of representing older or disabled persons and their representatives in financing long-term medical care, nursing home issues, qualifying for Medicare, Medicaid and other public benefits, estate planning, trust administration, probate, retirement benefit disputes and guardianships. Elder Law has been formally recognized by the New Jersey Supreme Court as a legal specialty through the American Bar Assn's accreditation program.

REGISTERED GUARDIAN

Mr. Vanarelli is certified as a Registered Guardian (RG) by the Nat'l Guardianship Foundation. An RG serves as a private fiduciary by practicing as an agent under a power of attorney or guardian. The RG certification has not been recognized by the New Jersey Supreme Court.

CERTIFIED GUARDIAN AND COURT EVALUATOR IN NEW YORK STATE

Mr. Vanarelli is certified by the Office of Court Administration in the State of New York as a Guardian and Court Evaluator.

PRINCIPAL ATTORNEY



Donald D. Vanarelli has been a practicing attorney since 1983, admitted to practice law in New Jersey and New York. A graduate of Rutgers Law School, Don practices in areas of elder law, estate planning and probate administration. Before becoming an attorney, Don worked for the Social Security Administration adjudicating claims for benefits under the Social Security, SSI, Medicare and Medicaid programs. Immediately after graduating law school, Don served as Law Clerk to Hon. Herbert S. Alterman, J.S.C., Superior Court, Passaic County. Don is board-certified as an Elder Law Attorney. Don also works as a professional fiduciary. He is certified as a Registered Guardian by the National Guardianship Foundation. Recently, he was certified as a Guardian and Court Evaluator in New York State. He is approved as a mediator by the New Jersey Supreme Court. Don is a past Chairman of the Somerset County Elder Law Committee, and past Secretary of the New Jersey Chapter of the National Academy of Elder Law Attorneys. In addition, Don is a member of the New Jersey Bar's Elder Law and Family Law Sections and the National Guardianship Association. Don is a member of the NJ Association of Professional Mediators.

Don maintains offices at 242 St. Paul Street, Westfield, NJ 07090 Tel: (908) 232-7400. Don also meets with clients at other conference locations.

OUR COMMITMENT

- ◇ High Quality Legal and Mediation Services
- ◇ Reasonable Rates
- ◇ Personal Attention to Each Client
- ◇ High Ethical Standards

STAFF MEMBERS

Donald D. Vanarelli, Esq.
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Kim Kennedy, Paralegal
Loretta Ceres, Secretary
Beth Thompson, Secretary

*Careful
Planning
Makes
A
Difference*

FIRM MISSION

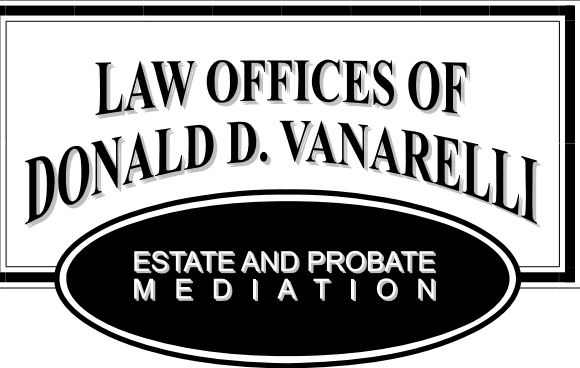
The Law Firm of Donald D. Vanarelli is devoted to helping seniors and the disabled find, get and pay for quality long term care, while preserving assets for family and others. We strive to provide elder law, estate planning and other legal services with the highest level of excellence in legal expertise, compassion and sensitivity. With respect to mediation services, we strive to facilitate communication between parties in a dispute involving probate matters, guardianships, will contests and other elder law and estate matters in order to bring the dispute to a successful resolution.

LAW OFFICES OF DONALD D. VANARELLI

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*Other Conference Locations
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