

FAMILY MEDIATION TRAINING

NEWSLETTER

FALL ISSUE 2020

ELDER MEDIATION

Elder Mediation is not Divorce Mediation for elderly people. Elder Mediation is usually a multi party process which explores issues and options toward the goal of maintaining a healthy family relationship. Elder Mediation is a hybrid of many professions, making it a unique form of mediation. It involves utilizing the therapeutic skills of a family mediator with the abilities of a civil/circuit or county mediator knowledgeable in dealing with multi parties. The goal is not just resolution but the ability of all parties to retain relationships beyond the mediation process. Elder mediation assists both family, civil/circuit as well as county mediators build on the skills they have already acquired. The two day course has been given 18.5 CLE's for attorneys as well as 16.0 CMEs.

For more information visit our website: eldermediationtrainingflorida.com



NEWS FLASH

ELDER MEDIATION; TRAINING IN 2020: CALL OR EMAIL FOR INFORMATION

About our one day programs:
Track I: 3.0 CME hours of Marketing/technology; Track II: learn about dealing with pro se clients; Track III emphasizes the workplace and Track IV emphasizes LGBTQ including mediating with temporary restraining orders. Each Track has 2.0 Ethics, 2.0 Interpersonal violence and 1.0 for ALL Mediators including Appellate Mediators.

Are Valuations Really That Necessary: Yes! No! Maybe?

Sometimes during a divorce the spouses assume that they immediately must have a valuation on their home ---- or for that matter everything! But why? Are they selling it? Are they dividing it in some way between them so as to reach a fair balance of traded value? What indeed is the purpose of the valuation? Who pays for that valuation and, what will happen once the valuation has been finished? Are they agreeing that whatever the valuation says will be upheld between them? All these are important questions that must first be answered by the parties before they commence to spend their money on what might be a needless appraisal of their personal properties. If they know what the house, the artworks, the jewelry or any personal jointly owned property is worth and they have agreed on the various value in order to sell it, why would a valuation be necessary? What if they are not sure and the house or other property is being "traded" for something else? When and how should they get an evaluation.

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IF YOU HAVE AN ARTICLE OF INTEREST WE WOULD BE PLEASED TO PUBLISH IT FOR YOU

If the parties are not sure of how to proceed the Mediator may certainly offer methods and options.

No matter what the reason for the valuation or the asset evaluated, certain steps should be followed in getting a fair and accurate appraisal that meets the needs and approval of both parties.

1. The appraiser should be uniquely qualified to evaluate the specific property.
2. Seek an expert in that particular field and most desirably through a recognized appraisal organization that monitors the standards and qualifications of its members.
3. The cost of the appraisal should never be connected in any way to the value of the property but should be based on an hourly/ daily fee agreed upon with the appraiser.

Don't forget to get your 16.0 CME's through Elder Mediation Training

4. The appraiser should be basing the valuation on property, whether real estate, art works or any other personal possessions on marketplace comparisons. For real estate and the home, the local market and recent sales of comparable homes in the same area should be studied. For artworks and other personal property such as jewelry and household goods the same holds true. Comparable works that have sold recently at auction or can be found on the open market in the hands of dealers and retailers can be factored into the valuation.
5. Most important to remember when making comparisons of any property in order to avoid comparing so called "apples to oranges" is to always consider the condition of the property. This holds true especially for real estate, works of art and collectables. A qualified appraiser familiar with the sales of items is why he/she is indispensable here. All "Picassos" don't have the same value any more than all diamonds do. Expertise is essential to knowing the difference between mediocre, good and great especially in the field of art, antiques, jewelry and collectables and is critical to obtaining an accurate value.