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# Guardianship and Conservatorship Mediation Program

A private, confidential  
alternative to court  
proceedings.

## How can mediation help when guardianship or conservatorship is being considered?

Dealing with worries about how personal and financial decisions are being made can be complicated and stressful.

Whether you are the one others are concerned about, a family member, or someone closely involved - it can feel overwhelming.

You may not be sure whether guardianship or conservatorship is the best solution – or know what other options exist.

This can be difficult to talk about.

Mediation offers everyone an opportunity to discuss their concerns and ideas about what's important and what should happen in a private and informal atmosphere. The mediator is neutral and helps those involved come up with the best solution that is acceptable to everyone.

## What does mediation cost?

There is no cost to the mediation participants for the services of the mediator.

## What can be mediated?

Some examples...

- **Health, medical, and care decisions**  
What is needed? Who should provide it?
- **Financial decisions**  
How should money be spent – or investments be handled? What about “unwise” spending?
- **Independence**  
How to maintain maximum independence?  
How to balance independence and safety?
- **Family and Relationship issues**  
How do we deal with conflicts – new and old?
- **Living arrangements**  
Where? With whom? Who decides – and how? How much supervision is needed?
- **Decision-making**  
How do we want to make decisions?  
How is information shared? Is it understood? Who should be involved?  
Who has authority?
- **Caregiver concerns**  
How to meet needs of caregivers? What are options for respite and support?
- **Safety concerns**  
What are the safety concerns? Is the level of risk understood? Is it acceptable?  
What are the least restrictive alternatives?
- **Guardianship and Conservatorship**  
If a Guardianship and Conservatorship is needed, what would the plan be? Who should be involved?

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## Why try mediation in guardianship or conservatorship cases?

**Mediation** helps families and others have difficult conversations.

**Mediation** gives participants responsibility and control over the issues and outcomes.

**Mediation** offers everyone a chance to be heard and to better understand others' views.

**Mediation** helps people move beyond surface issues in disputes and address underlying concerns.

**Mediation** is private and confidential.

**Mediation** helps people come up with plans that truly meet their needs.

**Mediation** helps balance independence and safety in decision-making.

## What happens in mediation?

- The mediator makes sure everyone understands the process, and sets the ground rules.
- After everyone signs the confidentiality agreement, each person explains his or her point of view.
- The mediator helps everyone decide on the topics they want to discuss – the agenda.
- The mediator encourages participants to find the solutions that work best for them.
- The mediator helps people put their agreements – or plan - into writing.
- Everyone gets a copy of the agreement, which may also be filed with the court.

## How can I get mediation services?

These services are offered by the Alaska Court System through the courts in Anchorage, Bethel, Dillingham, Fairbanks, Homer, Juneau, Kenai, Kodiak, Palmer, Sitka and Valdez.

A petition for guardianship or conservatorship must be filed - or a guardian or conservator already appointed. You may request mediation at the time the petition is filed.

Request mediation through the court that has the case. If you have an attorney, your attorney may request it for you.

**A Request For Court Sponsored Guardianship Mediation** form (MED-100) is available on the court website: <http://www.courts.alaska.gov/forms/med-100.pdf>

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